

# **AGENDA**

**Regular Meeting**

**of the**

## **CITY COUNCIL OF THE CITY OF TROY**

**JANUARY 26, 2004**

**CONVENING AT 7:30 P.M.**

**Submitted By  
The City Manager**

TO: The Honorable Mayor and City Council  
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

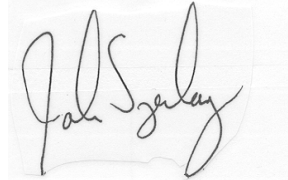
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

#### Goals

1. Minimize cost and increase efficiency of City government.
2. Retain and attract investment while encouraging redevelopment.
3. Effectively and professionally communicate internally and externally.
4. Creatively maintain and improve public infrastructure.
5. Protect life and property.

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Szerlag", is written over a light gray grid background.

John Szerlag, City Manager



## CITY COUNCIL

### AGENDA

January 26, 2004 – 7:30 PM  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317

**CALL TO ORDER** 1

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**INVOCATION & PLEDGE OF ALLEGIANCE – Pastor Brad Shirley – Zion Christian Church** 1

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**ROLL CALL** 1

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**PRESENTATIONS: No presentations scheduled.** 1

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**PUBLIC HEARINGS** 1

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**C-1** Rezoning Application (Z-597) – South Side of Long Lake Road – West of Rochester Road – Section 15 – R-1T to B-2 1

**C-2** Request for Commercial Vehicle Appeal – 1839 E. Wattles Road 1

**PUBLIC COMMENT:** 3

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B. Items Not on the Current Agenda 3

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**REGULAR BUSINESS** 4

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**F-1** Minutes: Regular Meeting of January 12, 2004 and Special Meeting of January 20, 2004 4

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**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3317 or via e-mail at [clerk@ci.troy.mi.us](mailto:clerk@ci.troy.mi.us) at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

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**PUBLIC COMMENT** **8**

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**STUDY ITEMS – No Study Items proposed.** **8**

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## CALL TO ORDER

**INVOCATION & PLEDGE OF ALLEGIANCE** – Pastor Brad Shirley – Zion Christian Church

## ROLL CALL

Mayor Matt Pryor  
Robin Beltramini  
Cristina Broomfield  
David Eisenbacher  
Martin F. Howrylak  
David A. Lambert  
Jeanne M. Stine

**PRESENTATIONS:** No presentations scheduled.

## PUBLIC HEARINGS

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**C-1 Rezoning Application (Z-597) – South Side of Long Lake Road – West of Rochester Road – Section 15 – R-1T to B-2**

Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That the R-1T to B-2 rezoning request, located on the south side of Long Lake Road, west of Rochester Road in Section 15, being 14.5 acres in size, is hereby **DENIED**, as recommended by City Management and the Planning Commission.

Yes:

No:

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**C-2 Request for Commercial Vehicle Appeal – 1839 E. Wattles Road**

Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

**(a) Proposed Resolution A For Approval**

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance: \_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Jim Laplante, 1839 E. Wattles Rd., for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Ford dump truck, a Ford stake truck, and three commercial trailers in a residential district is hereby **APPROVED** for \_\_\_\_\_ (not to exceed two years).

**OR**

**(b) Proposed Resolution B For Denial**

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.

- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Jim Laplante, 1839 E. Wattles Rd., for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Ford dump truck, a Ford stake truck, and three commercial trailers in a residential district is hereby **DENIED**.

Yes:

No:

## **PUBLIC COMMENT:**

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### **A. Items on the Current Agenda**

*Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. Consistent with Order of Business #11, the City Council will move forward the specific Business Items which audience members would like to address. The Mayor shall announce the items which are to be moved forward and will ask the audience if there are any additional items which they would like to address. All Business Items that members of the audience would like to address will be brought forth and acted upon at this time. Items will be taken individually and members of the audience will address council prior to council discussion of the individual item.*

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### **B. Items Not on the Current Agenda**

*After Council is finished acting on all Business Items that have been brought forward, the public is welcome to address the Mayor and Council on items that are specifically not on the agenda. (Rules of Procedure for the City Council, Article 15 as amended September 22, 2003)*

**CONSENT AGENDA – No Consent Agenda items submitted.**

*The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 13, as amended September 22, 2003)*

**REGULAR BUSINESS**

*Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair (during the public comment portion of the agenda item's discussion). Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments. For those addressing City Council, petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council and all other interested people, their time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended September 22, 2003. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair.*

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**F-1 Minutes: Regular Meeting of [January 12, 2004](#) and Special Meeting of [January 20, 2004](#)**Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of January 12, 2004 and the Minutes of the 12:00 PM Special Meeting of January 20, 2004 be **APPROVED** as submitted.

Yes:

No:

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**F-2 Resolution to Excuse Council Member Lambert – Special Meeting of Tuesday, January 20, 2004**Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That Council Member Lambert's absence at the Special City Council meeting of Tuesday, January 20, 2004 **BE EXCUSED** due to work commitments.

Yes:

No:

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**F-3 Preliminary Plan Review – Crestwood Site Condominium – North of Wattles – East of Livernois – Part of the Crestfield Subdivision in the SW ¼ of Section 15 – R-1C**

City Management requests a 5-minute presentation regarding this item.

**NOTE:** Petition submitted by adjacent residents **ATTACHED**.

Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

**(a) Proposed Resolution A**

RESOLVED, That the Preliminary Site Plan as submitted by the petitioner, under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Crestwood Site Condominium, which includes the extension of Tallman to the southwest but no vehicular connection to Wattles, as recommended for approval by the Planning Commission, located on the north side of Wattles Road, east of Livernois Road, including 23 home sites, within the R-1C Zoning District, being 11.983 acres in size, is hereby **APPROVED**.

**OR**

**(b) Proposed Resolution B**

RESOLVED, That the Preliminary Site Plan as submitted by the petitioner, under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Crestwood Site Condominium, which includes the extension of Tallman to the southwest and a vehicular connection to Wattles, as recommend3ed for approval by City management, located on the north side of Wattles Road, east of Livernois Road, including approximately 20 home sites, within the R-1C Zoning District, being 11.983 acres in size, is hereby **APPROVED**.

Yes:

No:

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**F-4a Charter Revision Ballot Proposals**

**F-4b Content Neutral Informational Brochures for Ballot Issues**Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

WHEREAS, Informational brochures were developed addressing ballot issues that will be placed before the voters on April 5, 2004; and

WHEREAS, The information contained within these brochures is intended to educate the public so that they may make an informed decision; and

WHEREAS, The information contained in these brochures meets the test of content neutrality.

NOW, THEREFORE, BE IT RESOLVED, That City Management is **AUTHORIZED** to publish and disseminate the informational brochures that are included as an attachment to the memorandum from the City Manager dated January 21, 2004 at an estimated cost of \$9,500.00; and

BE IT FINALLY RESOLVED, That these informational brochures will be disseminated to all Troy households, and additional copies will be available at City Hall, the Library, the Community Center, and any other appropriate sites.

Yes:

No:

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**F-5 Wattles Ridge Site Condominium – South of Wattles – East of Rochester –  
Section 23 – R-1C**Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That the Preliminary Site Plan as submitted by the petitioner, under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential development) for the development of a One-Family Residential Site Condominium known as Wattles Ridge Site Condominium and as recommended for approval by City Management and the Planning Commission, located south of Wattles Road, east of Rochester Road, including 14 home sites, within the R-1C Zoning District, being 4.92 acres in size is hereby **APPROVED**.

Yes:

No:

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**F-6 Colleen Meadows Site Condominium - West of Dequindre Road and South of  
Square Lake Road – Section 12 – R-1C**



Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That the Final Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential development) for the development of a One-Family Residential Site Condominium known as Colleen Meadows, located west of Dequindre Road and south of Square Lake Road, including 20 home sites, within the R-1C Zoning District, being 7.5 acres in size, is hereby **APPROVED**, as recommended by City Management.

Yes:

No:

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**F-7 Final Plat Approval – The Estates at Cambridge Subdivision – East Side of Beach Road – North of Wattles – Section 18 – R-1B**Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That Final Plat Approval for The Estates at Cambridge Subdivision, ten (10) lots, located on the east side of Beach Road and north of Wattles Road in Section 18, is hereby **GRANTED**, as recommended by City Management.

Yes:

No:

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**F-8 Request for Study Session to Discuss Council Members' Responses During Individual Meetings with City Manager**Suggested Resolution

Resolution #2004-01-

Moved by

Seconded by

RESOLVED, That a Study Session to discuss Council Members' responses during individual meetings with the City Manager be **SCHEDULED** for 7:30 PM in the Council Boardroom of Troy City Hall on \_\_\_\_\_, \_\_\_\_\_, 2004 (preferred date is Monday, February 9, 2004).

Yes:

No:

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## COUNCIL COMMENTS/COUNCIL REFERRALS

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Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda:

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### 1 Sign Permits for the Existing Building – 2795 E. Maple Road

Mayor Pryor wishes to discuss the manner of paying for signage permits for canopies; specifically, the one at 2795 E. Maple Road. Included in the packet are photographs of the canopy in question as well as a memorandum from staff regarding sign permits for 2795 E. Maple Road.

## COUNCIL REFERRALS

## REPORTS AND COMMUNICATIONS

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### G-1 Letters of Appreciation

- (a) Letter from Donald E. Jakeway, President and CEO – Michigan Economic Development Corporation, to John Szerlag Thanking Him for His Presentation Relative to the Proposed Conference Center

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### G-2 Calendar

## PUBLIC COMMENT

*Public Comment is limited to people who have not addressed Council during the 1<sup>st</sup> Public Comment section (Rules of Procedure for the City Council, Article 5 (15), as amended May 6, 2002).*

## STUDY ITEMS – No Study Items proposed.

*It is City Management's recommendation to recess the Regular meeting at this time and to immediately reconvene it in the Council Board Room to provide for a study environment. Additionally, it would be recommended that the Mayor request the City Clerk to post notice that the City Council meeting has been relocated to the Council Board Room.*

Respectfully submitted,

John Szerlag, City Manager

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DATE: January 15, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services  
Mark F. Miller, Planning Director

SUBJECT: Agenda Item – PUBLIC HEARING – REZONING APPLICATION (Z 597) –  
South side of Long Lake Road, West of Rochester Road, Section 15 – R-1T  
to B-2

### **RECOMMENDATION**

The rezoning request is inconsistent with the Future Land Use Plan, which classifies the property as Medium Density Residential.

The current R-1T One Family Attached zoning district serves as a transition zone between the existing office and business zoning districts and the CR-1 One Family Cluster and R-1C One Family Residential located to the north and west. Elimination of the R-1T zoning district transition area would negatively impact the adjacent one family residential neighborhood. The rezoning application is therefore incompatible with adjacent land uses and zoning districts.

The Planning Commission recommended denial of the rezoning request at the November 11, 2003 Public Hearing. City Management concurs with the Planning Commission's recommendation of denial of the B-2 rezoning request.

### **GENERAL INFORMATION**

#### Name of Owner / Applicant:

The owner of the property is Good Development Company, LLC. The applicant is Long Lake Development Partners, LLC.

#### Location of Subject Property:

The property is located on the south side of Long Lake Road, west of Rochester Road, in Section 15.

#### Size of Subject Parcel:

The subject rezoning request is approximately 14.5 acres in area. This request is part of a parcel of property that is already zoned B-2. If this rezoning is approved, the entire parcel that will be zoned B-2 is approximately 16.6 acres in area.

#### Current Use of Subject Property:

The property is currently vacant.

Current Zoning Classification:  
R-1T One Family Attached.

Proposed Zoning of Subject Parcel:  
B-2 Community Business.

Proposed Uses and Buildings on Subject Parcel:

The applicant is proposing to construct three retail buildings on the property: Retail 'A' is 136,433 square feet, Retail 'B' is 18,805 square feet, and Retail 'C' is 3,963 square feet. Total proposed commercial square footage is 159,201 square feet.

Current Use of Adjacent Parcels:

North: Child care center and one family residential.

South: Versa-Tube industrial building.

East: Commercial and office uses.

West: One family residential.

Zoning Classification of Adjacent Parcels:

North: R-1C One Family Residential.

South: M-1 Light Industrial.

East: O-1 Office Building and B-2 Community Business.

West: CR-1 One Family Residential Cluster and R-1C One Family Residential.

## **ANALYSIS**

Range of Uses Permitted in Proposed Zoning District and Potential Build-out Scenario:

**PRINCIPAL USES PERMITTED:**

Any retail business or service establishment permitted in B-1 Districts as Principal Uses Permitted and Uses Permitted Subject to Special Conditions.

All retail business, service establishments, or processing uses as follows:

Any retail business whose principal activity is the sale of merchandise in an enclosed building, except for those limited to or first permitted in the B-3 General Business District.

Any service establishment of a showroom or workshop nature, of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer; or an establishment doing radio or home appliance repair, photographic studios and reproduction and similar service establishments that require a retail adjunct.

Business establishments which perform services on the premises, such as but not limited to: banks, credit unions, savings and loan associations, loan companies, insurance offices, travel services, and real estate offices.

Private clubs, fraternal organization, and lodge halls.

Restaurants, or other places serving food or beverage, except those having the character of a drive-in or open front store.

Theaters, assembly halls, concert halls or similar places of assembly, when conducted completely within enclosed buildings.

Business schools and colleges or private schools operated for profit, not including nursery schools.

Other uses similar to the above uses.

Accessory structures and uses customarily incident to the above permitted uses.

#### USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

Drive-up windows or service facilities, as accessory to principal uses within B-2 districts, apart from restaurants.

Outside seating areas, of twenty (20) seats or less, for restaurants or other food service establishments.

#### USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL

Drive-up windows or service facilities, as an accessory to restaurants permitted within this district.

Bowling alley, billiard hall, indoor archery range, indoor skating, rinks, indoor tennis courts, athletic or health clubs, or similar forms of indoor commercial recreation, when the subject uses are located at least 100 feet from any Residential District.

Open air business uses when developed as uses subordinate to primary uses and structures within the B-2 District.

Outside seating areas, in excess of twenty (20) seats, for restaurants, or other food service establishments.

Facilities within a retail establishment for installation, in vehicles, of items sold at retail at that location.

Vehicular access:

Vehicular access will be provided to the parcel from both Long Lake Road and Rochester Road.

Potential Stormwater and Utility Issues:

The applicant will be required to adequately dispose of storm water on the property.

Natural Features and Floodplains:

The Natural Features Map indicates there is a small strip of woodlands located along the west property line.

The application indicates that there are “problematic fill soils” on the property.

Compliance with Future Land Use Plan:

The property is classified as Medium Density Residential on the Future Land Use Plan. The Medium Density Residential Classification correlates with the R-1T, R-2, R-M and R-EC zoning districts. The B-2 request is not in consistent with the Future Land Use Plan.

Attachments:

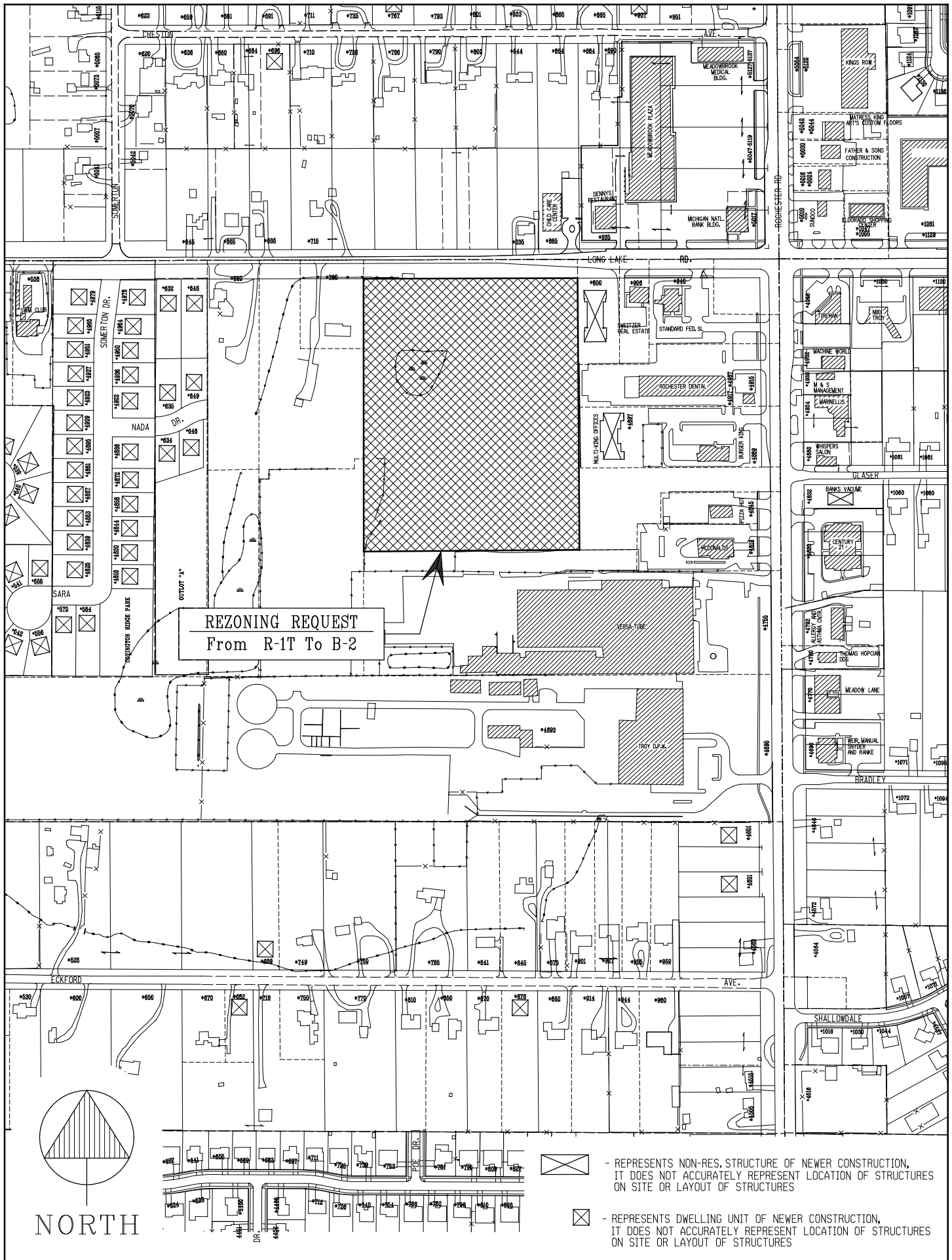
1. Maps (Location (2), Zoning, Aerial, Future Land Use Plan)
2. Planning Commission Minutes, November 11, 2003
3. Public Comment

cc: Robert Roth, Applicant  
Jill Bankey, Attorney  
File (Z-#597)

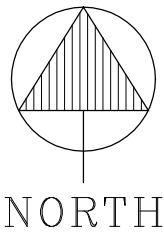
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

# CITY OF TROY



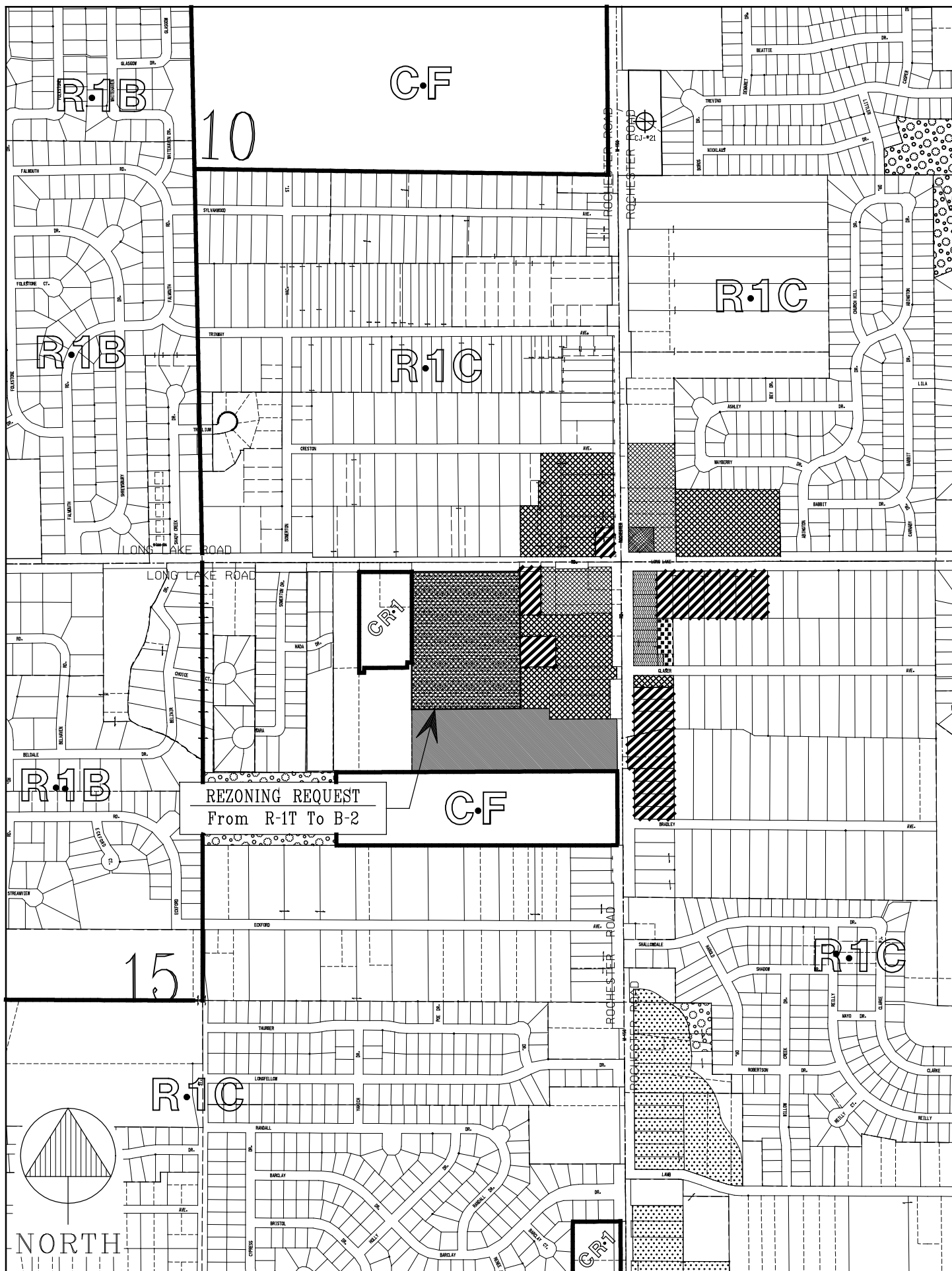


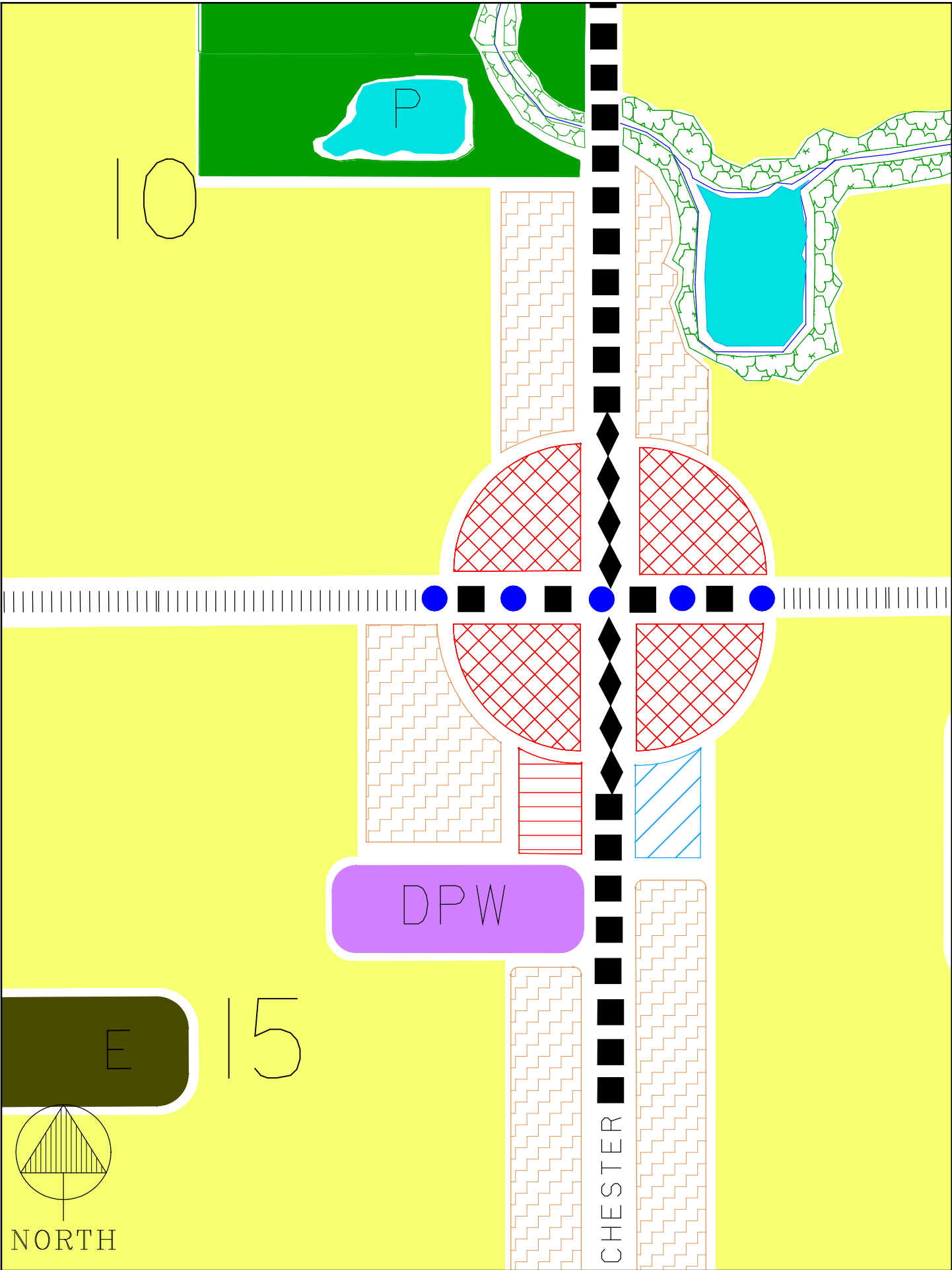
REZONING REQUEST  
From R-1T To B-2



-  - REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES
-  - REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES









REZONING REQUEST  
PROP. LONG LAKE RETAIL DEVEL.  
FORM R-1T TO B-2  
SEC. 15 (Z-597 C)



REZONING REQUEST  
FROM R-1T TO B-2

4. PUBLIC HEARING - PROPOSED REZONING (Z-597 D) – Proposed Retail Development, South side of Long Lake, West of Rochester Road, Section 15 – R-1T to B-2

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning request for retail development. Mr. Savidant reported that it is the recommendation of the Planning Department to deny the rezoning request because it is inconsistent with the Future Land Use Plan and is incompatible with adjacent land uses and zoning districts. Mr. Savidant noted that the Planning Department has received numerous phone calls and inquiries regarding the rezoning application and is in receipt of a number of e-mail messages and letters voicing opposition to the rezoning request.

Mr. Waller asked if the Planning Department received any additional information relating to the problematic nature of the property for residential purposes.

Mr. Savidant responded in the negative.

Jill Bankey, Attorney, was present to represent the petitioner. Ms. Bankey introduced Robert Roth of Long Lake Development Partners, LLC, and Ralph Nunez of Design Team Limited. She presented a brief background and history of the property.

Ralph Nunez of Design Team Limited, 17255 W. Ten Mile Road, Southfield, gave a synopsis of his professional background. Mr. Nunez gave a very thorough and impressive presentation on the proposed development; i.e., dynamics and planning aspects of the proposed development, current uses, transition to residential, traffic study, traffic access points, master land use plan, stormwater on site, and improvements to existing characteristics of the site.

Mr. Miller noted to the petitioner that the City has updated the Master Land Use Plan and zoning map. Mr. Nunez noted the changes as stated by Mr. Miller.

Mr. Storrs indicated to the petitioner that he was personally aware of residents coming forward and requesting additional condominiums in Troy so that empty nesters could remain in Troy close to family and not have to be burdened with external maintenance. He then asked the petitioner what rationale he had that said the area needed additional B-2 zoning.

The petitioner did not have a response.

Mr. Kramer commended the presentation of Mr. Nunez. He asked the petitioner to address justification for additional B-2 zoning in the City, the feasibility and/or unfeasibility of residential development on the property, and the specifics in the transitional zoning. Mr. Kramer also asked if consideration was given to the adjacent parcel as part of the proposed rezoning.

Mr. Nunez responded there was discussion with the owner of the adjacent parcel to the southwest with respect to attached residential zoning. He stated that the petitioner does not have control of the residential property to the north. Mr. Nunez stated that the petitioner is considering a big box retail development should the proposed rezoning be approved.

Mr. Strat also commended the presentation of Mr. Nunez and requested a copy of the soils report with reference to the former property owner's proposed residential development.

Copies of the soils report were circulated to the Commission.

Mr. Nunez said it is his belief that the soils report was a tool utilized by the former property owner to withdraw from the purchase agreement.

Mr. Miller reported that Mr. Roth met with the Real Estate and Development Director to discuss development plans, and noted that a Planned Unit Development option was discussed. Mr. Miller said there could be potential for a Brownfield redevelopment project at this location, but at this time it is not known if it would be advantageous.

#### PUBLIC HEARING OPENED

Linda Thielfeldt of 646 Long Lake Road, Troy, was present. She noted that the petitioner did not address the zoning to the north and the single family residential to the west, currently under construction by Harrington Development Company. Ms. Thielfeldt stated that the soils contamination matter discussed tonight is not as big of an issue as it may appear. Ms. Thielfeldt said that the Master Plan Land Use, as well as the neighborhood surroundings, does not support the proposed rezoning. She noted that three retail developments within the area are currently experiencing vacancies, and questioned the need for further commercial vacancies and potential blight from a big box retailer. Ms. Thielfeldt voiced concerns with increased traffic and congestion, increased noise and light pollution, potential flooding and the home values of the affected residents. She shared the Governor's Cool Cities program promoting the initiative to make cities more attractive. Ms. Thielfeldt referenced a problematic site in Birmingham (south of 15 mile, east of Eton) that, through creative planning and zoning, was developed as a residential and business development in a village type of setting. Ms. Thielfeldt asked the Commission's recommendation to City Council for the proposed rezoning be one of denial now and in the future.

Sahar Fakhouri was present on behalf of the builder who owns the property adjacent to the west of the proposed rezoning. Ms. Fakhouri voiced strong opposition to the proposed rezoning for multiple reasons; one of much importance being that the property recently acquired from Choice Development was acquired with the understanding that it is adjacent to a residential



development. Ms. Fakhouri said the rezoning would be a major detriment to their development and a major economic loss to the company. Ms. Fakhouri reported that results of soils boring tests conducted for their development were negative. She further expressed a major concern with lights. Ms. Fakhouri noted that they tried twice, to no avail, to make contact with the owner of the adjacent property.

Mr. Kramer questioned the setbacks for the property to the east.

Mr. Miller responded that it is approximately 100 feet from the residents because there is a single loaded road on the west side.

Michael Chaffee of 5064 Shrewsbury, Troy, was present. Mr. Chaffee said that living next door to a B-2 zoning district is not a buffer, but an area from which one wants to be buffered. Mr. Chaffee believes that residential development could be achieved at the subject site.

#### PUBLIC HEARING CLOSED

Mr. Strat commented that after briefly looking at the soils test, it appears that approximately 6 feet of topsoil has been placed above the existing grade.

Mr. Vleck said he would be more in favor of a Planned Unit Development project on this site, and noted his concerns with the transitional buffer zones.

#### **Resolution # PC-2003-11-051**

Moved by: Vleck

Seconded by: Strat

**RESOLVED**, that the Planning Commission hereby recommends denial to the City Council for the rezoning request from the R-1T to B-2 (Z-597) for the property located on the south side of Long Lake Road and west of Rochester Road within Section 15, being 14.5 acres in size, for the following reasons:

1. The rezoning request is inconsistent with the Future Land Use Plan, which classifies the property as Medium Density Residential.
2. The existing R-1T One Family Attached zoning district serves as a transition zone between the existing B-2 Community Business zoning district and the existing CR-1 One Family Cluster and R-1C One Family Residential zoning districts located to the north and west of the subject property. Further, the elimination of the R-1T transition would negatively impact the adjacent residential neighborhoods. The rezoning application is therefore incompatible with adjacent land uses and zoning districts.
3. The petitioner could explore other multiple uses or buffer zone options.

Yes: Kramer, Littman, Schultz, Storrs, Strat, Vleck  
No: Waller  
Absent: Chamberlain, Wright

**MOTION CARRIED**

Mr. Waller said he agrees that the subject property could be used for other potential aspects. He noted the Commission was deficient of any testimony for the subject site to be developed as a PUD or other multiple zoning uses, and that the plan before the Commission tonight could be a reasonable use for the site.

Paula P Bratto

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**From:** SAMMANCUSO@aol.com  
**Sent:** Saturday, October 25, 2003 7:24 PM  
**To:** planning@ci.troy.im.us  
**Subject:** T2N,R11E,NE 1/4 of Section 15 proposed re-zoning from R-1T to B-2

Troy Planning Department:

I received the notification of the proposed rezoning of T2N, R11E, NE 1/4 Section of 15 from R-1T to B-2 and feel compelled to ask that you **do not** support this rezoning. One only has to open their eyes and look around our wonderful community of Troy, and I firmly believe that they will realize that we are on the verge of having **much too much commercial/business property development**.

Just observe what is very evident. We have a great deal of traffic. We have poor performing commercial/business space particularly at that four corner area of Rochester Road and Long Lake. What our community could use more of is residential housing whether it be freestanding single family or attached such as townhomes. Demand will be strong due to Troy's central location, good schools, ethnic/racial/religious diversity, and still good - but please be reminded fragile quality of life. Plus, let's consider that quality of life. Do we want more traffic, more potentially underperforming commercial/business space that then becomes vacant and rundown. Our community runs the risk of becoming a pass through destination for more than the numbers that reside here. That, to me, goes beyond threatening the type of community Troy has been, is, and I hope leaders of our community envision it to be.

There is plenty of property in this greater Troy area (including the city of Detroit) that needs to be developed for commercial/business purposes. Our **community - vs. business destination** will be better served with residential housing. Not only will the market reward the developer of such, but all of us will benefit from the enhanced beautification to our community that can result. We have enough B-2. Please don't change the zoning. There is no community serving compelling reason to do so. We already have: two major malls, a hospital, various other professional space, various other commercial and business space, manufacturing, warehousing, service stations, restaurants (upscale, casual dining, fast food), strip malls, etc.. I dare say that there are few other towns, villages, cities etc. that can boast the kind of diverse/balanced property use that Troy can. We have more than enough diversity to serve the needs of our residents and those of surrounding communities. Please resist the selfish initiatives and goals of those attempting to change it. Afterall, did they not know what the zoning was when they acquired the property? Did they just figure they could have it changed just because it served them? I hope not. If they don't like what they have, suggest to them that they sell it.

Just one man's viewpoint and I hope you hear from many others with the same.

Thanks for listening.  
Sam Mancuso

12/22/03



October 29, 2003

City of Troy  
ATTN: PLANNING DEPT.  
500 W. Big Beaver Road  
Troy, MI 48084

REC'D

OCT 31 2003

PLANNING DEPT.

File

Dear Planning Dept:

I recently received a re-zoning notice for property located at Long Lake and Rochester Roads which has prompted me to write this long overdue letter to your department, the Mayor's office and the local newspapers.

It was with great sadness that I noticed a sign beside the beautiful old building that houses the Troy Boys & Girls Club and it would soon be replaced by another strip mall. Just what this city needs. When my family moved here in 1984 Troy was a wonderful mix of affordable homes for young families, small farms and many wooded areas. We could see horses grazing in several backyards and walk to the end of our street in the summer and buy fresh fruit and vegetables. Now there is nothing left of the character that attracted us to Troy and barely any property that doesn't have an office building or a house on it. Some of the streets where houses or condos have gone up are not even neighborhoods, just a single street. I have heard many people say that Troy must be known to outsiders as the town with a drug store on every corner and I think that is very sad.

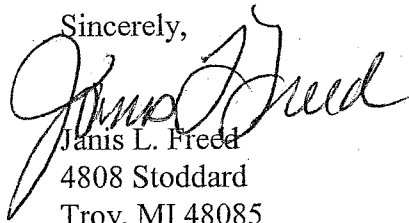
That our city could let such a historic and beautiful building be torn down to accommodate another unneeded strip mall is unconscionable! This was one of the first school buildings and it would seem Troy would make every effort either to help the Boys & Girls Club to expand at that site or to pursue some other use for the great old building to keep it as part of this town. It is really unfortunate that Troy has not adopted a policy similar to many of the surrounding upscale communities which requires a high percentage occupancy of both strip malls and office buildings before another permit can be issued. A simple drive up Big Beaver reveals that almost every building has a "Space for Lease" sign and the same is true of the majority of this City's small strip malls. The perfect example is the very intersection the rezoning is near, where the space housing what was once Farmer Jack and Rite Aid stores has been vacant for years and there is an office building just east of Rochester on Long Lake that has never been occupied. It is a shame that one more tree should come down under these circumstances and this City should be ashamed of the fact that we have building something on almost every piece of available property in town. It does not say much for how Troy views the quality of living of its residents when it does nothing to preserve open, wooded and undeveloped properties for the enjoyment of its citizens. I am fortunate to live near the woods adjacent to Larson Middle School and I pray that whoever owns this property allows it to remain a place for my family to enjoy rabbits, an occasional deer, the two herons that live here, the muskrats in the creek and the hawk who delights us as it flies overhead. While I would hate to leave our home of almost 20 years, if my woods were to go the way of all the other open spaces around town, I would definitely move to a community that valued its citizens quality of life as much as its tax base.

City of Troy  
October 29, 2003  
Page 2

I hope that the Planning Department will take a good long look at the wisdom of tearing down one the City's oldest buildings to replace it with unneeded retail space and try to find a use for this lovely old school. I am sure that my family and I are not alone in our desire for an occasional open space to just get away from all the buildings and traffic, space that is just there, not a city park or organized place, just open space where nothing has been built.

Not only can young families not afford to move to Troy anymore, which is a shame; when they do, there is nowhere to take their children to just play in a field or pick wildflower and watch birds, which is greater shame. Please try to save the few places that remain without a building or store for those of us who call Troy home.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janis L. Freed".

Janis L. Freed  
4808 Stoddard  
Troy, MI 48085  
Hm(248)689-1648  
Wk(248)649-6000

cc: Detroit Free Press/Letters to Editor  
Oakland Press/Letters to Editor  
The Troy Eccentric/Letters to Editor  
Troy Times/Letters to Editor  
Troy Somerset Gazette/Letters to Editor

**Paula P Bratto**

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**From:** Charlene A McComb on behalf of Clerks  
**Sent:** Thursday, October 30, 2003 3:22 PM  
**To:** Planning  
**Subject:** FW: AGAINST-- Rezoning at Long Lake and Rochester

-----Original Message-----

**From:** Felice, Christopher [mailto:Christopher.Felice@fanucrobotics.com]  
**Sent:** Thursday, October 30, 2003 1:09 PM  
**To:** clerk@ci.troy.mi.us  
**Subject:** AGAINST-- Rezoning at Long Lake and Rochester

October 30, 2003

Attn: Troy Planning Commission

RE: T2N, R11E, NE 1/4 of Section 15  
Re-Zone Request from R-1T to B-2

We wanted to express our strong recommendation that the Troy Planning Commission does not deviate from the current zoning on the above referenced parcel.

We understand that an unnamed, large (140,000 sq ft) building is proposed for the site.

We foresee no advantage for this change- only disadvantages for all the surrounding neighbors.

Thank you,

*Chris Felice  
Carol Felice  
5222 Allison Drive  
Troy, MI 48085*

**Paula P Bratto**

---

**From:** Nasari, Godson [GYNASARI@oaklandcc.edu]  
**Sent:** Tuesday, November 04, 2003 3:19 PM  
**To:** 'planning@ci.troy.mi.us'  
**Subject:** Rezoing

This in response to the proposed rezoning for the area Just west of Rochester on Longlake road.

I reside in Covington Ridge Subdivision which is adjacent to the site which will be converted from single family homes to Business site.

When we bought our property, the builder clearly indicated that this area was slated for single family homes and I personally came to the planning division office in Troy and the map indicated the same. For that reason we purchased the property in the subdivision. Changing the plan at this time will lower our property value and increase the already congested intersection At the proposed site. In addition the city will loose on property taxes.

We plenty of vacant business buildings at the intersection of the Rochester road and longlake at this time.

Troy Residence  
Godson Nasa

12/22/03

7-597

REC'D

NOV - 5 2003

PLANNING DEPT.

Mr. + Mrs. Michael Aldo

4876 Belvoir

Tray, MI 48085

11/5/03

Attention Planning Commission,

Regarding, the planned re-zoning of Section 15, W. of Long Lake Road by Long Lake development partners which is their intention of trying to rezone this property from family attached Residential to community business.

We are strongly opposed to the proposed re-zoning and wish to keep it Residential. We will if approved, be affected by traffic and those of us who live nearby will have our property values affected. Also, right in that same vicinity, we have an empty Supermarket + stores that have been that way for years. We do not need anymore commercial

Michael + Maria Aldo

# East Long Lake Estates

Homeowner's Association  
A Pleasant Place To Live

2-597D

P.O. Box 341

Troy Mi. 48099

Nov. 7, 03

To: The Planning Commission / City of Troy  
From: The East Long Lake Estates Homeowner's Association

Subject: Request for rezoning of property T2N, R11E, NE ¼ of Section 15, on East Long Lake Rd. west of Rochester Rd.

The East Long Lake (ELLE) Homeowner's Association Committee was polled to determine the Association's position on the above request for rezoning. With the limited time available, many, but not all of the 161 residences, were contacted.

The overwhelming response was "NO" to the rezoning request. Reasons for not allowing rezoning are listed below.

. Increased traffic congestion on East Long Lake Rd. and Rochester Rd. Rush hour traffic will see a great increase and this increase will extend into non-rush hours.

. Adjoining shopping centers are presently all experiencing vacancies. These include the Meadow Brook Plaza, the Long Lake Plaza, and the Old Village Center. The Meadow Brook Plaza is presently only 50% occupied. In addition, the Troy Grande Office Center at 1152 East Long Lake Rd., newly built two years ago, still has no occupants. The newly built office building at 920 East Long Lake Rd. is approximately 50% occupied. It is just not prudent to continue building business centers in an area with numerous unoccupied shops and offices.

. For nearby residents and pedestrians, night-lighting, noise and safety issues will be on the increase.

Please consider the wishes and feelings of the residents of the City of Troy. This parcel of land was wisely zoned for residential use by our original city planners. Though changing times may require changes to well thought out plans, there appears to be no wisdom to this request for change.



Bob Van Proeyen  
President

ELLE Homeowner's Association

**Paula P Bratto**

---

**From:** Linda Thielfoldt [lindat@devlingroup.com]  
**Sent:** Monday, November 10, 2003 2:38 PM  
**To:** planning@ci.troy.mi.us  
**Cc:** Kelly, Bob; John & Bridget LaDuke; Crkaltz@cs.com; jju@wwnet.net  
**Subject:** Public Hearing on Long Lake Property

Dear Planning Commission of the City of Troy,

This letter is to express our views on the upcoming hearing to consider the request of Robert Roth/Long Lake Road Development Partners LLC to rezone the 16+/- acre parcel just East of Rochester on the South side of Long Lake Road.

We found it interesting that for the three proposed buildings there was no mention of any tenant or occupant. We found it interesting in today's real estate market glut (especially in Troy where vacancy rates are at an all time high) that a developer would propose three buildings that total approximately 158,000 square feet. The largest building being of the size that could house a Home Depot. We find it interesting that the developer is trying again after being turned down for a similar proposal in 2001.

Back in 2001 we fought this very same zoning/development plan and it was turned down by both the planning commission and also the city council. As homeowners we collected over 600 signatures from area residents that were opposed to this zoning change. Our views have not changed. We support the master plan and want the city to stick to it. The master plan does not allow for commercial development on this site.

This is not what Troy needs! We don't need another big box retailer and we don't need any more office space. AND we don't need more traffic that this type of development will bring to the area.

The following concerns have been expressed by neighborhood residents and businesses:

- Increased traffic congestion on Long Lake and Rochester roads
- Increased noise from vehicles entering and leaving businesses during all hours of business operations, potentially 24x7
- Decreased safety for residents - especially students traveling to and from area schools from increased traffic on major roads
- Increased light pollution from business parking lot lighting systems
- Potentially more vacant office/retail buildings with the already high vacancy rate in Troy and surrounding areas
- Increased chance for flooding residential areas due to parking lot water run-off
- Decreased Covington Ridge home values, especially homes near business-zoned property

What would be nice are some well built and well priced housing options. Perhaps some mixed use residential is what makes the most sense. Let's get creative here.

We urge you to recommend to council a no on this zoning change. We bought in Troy and built our homes under the premise that this parcel would be developed as residential. Don't let us down! Keep the current residential zoning!

Sincerely,

Linda and Devan Thielfoldt  
646 East Long Lake Road

12/22/03

Troy MI 48085  
248-740-8825  
Covington Ridge Subdivision



Paula P Bratto

---

**From:** Meola140@cs.com  
**Sent:** Monday, November 10, 2003 8:27 AM  
**To:** planning@ci.troy.mi.us  
**Subject:** Rezoning on Long Lake Rd.

Dear Mr Littman and Planning Commission Members,

As members of a neighborhood that will be strongly affected by the rezoning of T2N, R11E, NE 1/4 of Section 15, we want you to keep the zoning as family attached residential.

Before purchasing our home we checked the zoning of the area. We wanted a quiet and safe neighborhood. We bought our home because of the zoning in the area. Long Lake Road is a road that has some business at the corners, but is mainly residential in its occupancy. To extend the business area, especially with very large businesses, will spoil the atmosphere of Long Lake Road. It will hurt the value of all homes on or near Long Lake. Traffic on Long Lake will become like the traffic on Big Beaver and Maple Roads. These Roads were not primarily residential, and any residences on or near them lack peace and quiet, and have become poor residential choices. Check the communities to the West and to the East of Troy . They have kept the residential flavor of the area. Do not destroy this area with a big business that may end up like the Farmer Jack on the corner of Long Lake and Rochester. In fact, that would be a good location already available for a business.

If Troy is to keep its value like Birmingham and Royal Oak, it must value its residential life, and attract people to life in its neighborhoods. Attractive homes in Troy are the basis of long term value to our properties. PLEASE  
KEEP OUR QUALITY OF LIFE IN TROY, KEEP THE ZONING OF THIS LAND FAMILY ATTACHED  
RESIDENTIAL.

Sincerely,  
Phil and Pat Meola  
170 Wilton Drive, Troy

**Paula P Bratto**

---

**From:** Jerry [grichart@comcast.net]  
**Sent:** Monday, November 10, 2003 6:57 PM  
**To:** planning@ci.troy.mi.us  
**Subject:** Re-zoning Property East of Covington Ridge Subdivision - PLEASE REJECT

**PLEASE REJECT THE RE-ZONING OF THE SUBJECT PROPERTY FROM R-1T (One Family Attached Residential) to B-2 (Community Business) !!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!**

**As a long time citizen of Troy I strongly object to the constant rezoning of property to accommodate developers. I believe that there is a strong case to reject this proposal.**

- 1. There already is a high vacancy rate in Troy and surrounding areas. I personally was looking for office space in Troy and was overwhelmed by the amount of unoccupied office space. Why add to an already serious situation. Why add more commercial/retail space when the building when buildings such as the one previously occupied by the A&P remains vacant.**
- 2. There is already a traffic congestion problem on Long Lake Road. I know because I drive it every day. A commercial development would only make matters worse thus creating an serious safety problem.**
- 3. Light and noise pollution from business parking lots. Most of us moved to Troy because Troy offered a rural setting in a metropolitan area. The rapid commercialization of Troy and departure from the city's master plan ignores the wishes of the people who chose the city of Troy as their home. Is the city going to pave paradise and put up a parking lot?**
- 4. This type of development will have a negative impact on home values, particularly those near the development. Is that fair to people who build homes with the understanding that the adjacent property was zoned residential?**

**In conclusion, enough is enough! The rejection of this re-zoning request is the first step in responding positively to the wishes of the Troy citizens.**

**Let the developers find another city to pollute.**

**Thank you,**

**Jerry Richart  
487 Trillium  
Troy, Michigan**

Paula P Bratto

---

**From:** Crkaltz@cs.com  
**Sent:** Tuesday, November 11, 2003 5:39 PM  
**To:** lindat@devlingroup.com; planning@ci.troy.mi.us  
**Cc:** bob.kelly@eds.com; jbladuke@wideopenwest.com; jju@wwnet.net  
**Subject:** RE: Public Hearing on Long Lake Property

Dear Members of the Planning Commission:

My husband and I fully support and echo everything Ms Thielfoldt has to say in her letter below. Please respectfully consider our concerns.

Cheryl Kaltz  
648 Nada Drive  
Troy, MI  
248-689-4355

Linda Thielfoldt <lindat@devlingroup.com> wrote:

>Dear Planning Commission of the City of Troy,  
>  
>This letter is to express our views on the upcoming hearing to consider the  
>request of Robert Roth/Long Lake Road Development Partners LLC to rezone  
>the 16+/- acre parcel just East of Rochester on the South side of Long Lake  
>Road.  
>  
>We found in interesting that for the three proposed buildings there was no  
>mention of any tenant or occupant. We found it interesting in todays real  
>estate market glut (especially in Troy where vacancy rates are at an all  
>time high) that a developer would propose three buildings that total  
>approximately 158,000 square feet. The largest building being of the size  
>that could house a Home Depot. We find it interesting that the developer  
>is trying again after being turned down for a similar proposal in 2001.  
>  
>Back in 2001 we fought this very same zoning/development plan and it was  
>turned down by both the planning commission and also the city council. As  
>homeowners we collected over 600 signatures from area residents that were  
>opposed to this zoning change. Our views have not changed. We support the  
>master plan and want the city to stick to it. The master plan does not  
>allow for commercial development on this site.  
>  
>This is not what Troy needs! We don't need another big box retailer and we  
>don't need any more office space. AND we don't need more traffic that this  
>type of development will bring to the area.  
>  
>The following concerns have been expressed by neighborhood residents and  
>businesses:  
>• Increased traffic congestion on Long Lake and Rochester roads  
>• Increased noise from vehicles entering and leaving businesses  
>during all hours of business operations, potentially 24x7

>• Decreased safety for residents - especially students traveling to  
>and from area schools from increased traffic on major roads  
>• Increased light pollution from business parking lot lighting  
systems  
>• Potentially more vacant office/retail buildings with the already  
>high vacancy rate in Troy and surrounding areas  
>• Increased chance for flooding residential areas due to parking lot  
>water run-off  
>• Decreased Covington Ridge home values, especially homes near  
>business-zoned property  
>  
>What would be nice are some well built and well priced housing  
>options. Perhaps some mixed use residential is what makes the most  
>sense. Lets get creative here.  
>  
>We urge you to recommend to council a no on this zoning change. We bought  
>in Troy and built our homes under the premise that this parcel would be  
>developed as residential. Don't let us down! Keep the current  
residential  
>zoning!  
>  
>  
>Sincerely,  
>  
>Linda and Devan Thielfoldt  
>646 East Long Lake Road  
>Troy MI 48085  
>248-740-8825  
>Covington Ridge Subdivision  
>  
>

**Paula P Bratto**

---

**From:** MIHarringtonPark@aol.com  
**Sent:** Tuesday, November 11, 2003 4:10 PM  
**To:** planning@ci.troy.mi.us  
**Subject:** Proposed Rezoning

November 11, 2003

City of Troy  
Planning Commission  
500 W Big Beaver  
Troy MI 48084

RE: The Matter of the Rezoning of the Parcel Located on the  
South Side of Long Lake Road and West of Rochester Road

To the Esteemed Members of the Planning Commission,

This is to voice our concerns in the matter of the rezoning of the parcel located on the south side of Long Lake Road and west of Rochester Road, that our company, Harrington Park Development LLC is categorically and firmly opposed to the suggested rezoning. The reasons for this opposition are many:

1. The master plan of Troy does not allow for this type of zoning in this area.
2. The proposed rezoning would increase traffic congestion and noise pollution to unacceptable levels.
3. There is currently a high vacancy rate in commercial property in this immediate area, specifically at the location on the north side of Long Lake Road and the west side of Rochester Road - right across Long Lake Road from the proposed rezoning.
4. This rezoning proposal would lower the property value of our new residential development adjacent to the subject property. We purchased our property recently with the understanding that the adjacent property is zoned residential. We would suffer major economic loss if this zoning is approved.

We have made many attempts to contact the owners of the parcel in question to work out a mutually agreeable arrangement. We have yet to receive a response from them.

Thank you for your time and consideration in this matter.

Sincerely,

Richard Spehar  
Harrington Park Development LLC

cc: file-RB000

12/22/03

**Paula P Bratto**

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**From:** Nido, Dennis [dnido@kmart.com]  
**Sent:** Tuesday, November 11, 2003 1:58 PM  
**To:** 'planning@ci.troy.mi.us'  
**Subject:** Section 15 - Rezoning Request

I want to express my desire to **deny** the (latest) rezoning request for section 15 (located west of Rochester Rd. on the South side of Long Lake).

I feel the current zoning of the above land parcel is in the best interest of Troy residents.

Thank you,

Dennis Nido  
4755 Belzair Dr.  
Troy, Michigan 48085

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12/22/03

**Paula P Bratto**

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**From:** Geesey, Paul [PGeesey@lear.com]  
**Sent:** Tuesday, November 11, 2003 9:11 AM  
**To:** 'planning@ci.troy.mi.us'  
**Cc:** 'John LaDuke'; 'Cheryl Geesey'  
**Subject:** Proposed Re-Zoning Z-597D

Dear Commissioners,

We are writing to register our OPPOSITION to the proposed rezoning of property near Long Lake & Rochester Roads.

We live in the Covington Ridge (phase II) subdivision and believe that this re-zoning request should be rejected for the following reasons:

--- The requested reclassification from residential to business is entirely inappropriate for that area. Several residential developments already exist in that area. Bringing new business development right up to our neighborhood boundaries will negatively impact our home values due to additional noise, automobile traffic, and will likely result in drainage problems.

--- That general area of Troy is already overbuilt with vacant commercial space - i.e. former Farmer Jack/Daman Plaza.

--- Troy in general has an abundant (and still growing) supply of vacant office space.

--- Residents that have bought homes in the general area of Long Lake & Rochester Roads have a right to expect that the city will standup for its own master zoning plan. These plans were crafted by the city (with citizen input) for the purpose of providing a stable and consistent order for development in Troy. This proposed re-zoning will bring commercial activity too far west down Long Lake Road. Citizens are looking to the zoning master plan and commissioners to protect their investments and provide stability to the city by avoiding massive "plan de jour" type projects.

--- I believe that these same approximate parcels were slated for a "big box" retailer just a couple of years ago. The city was right to reject the re-zoning request then, and it should reject it again this time!

The current residential zoning in that area is working as evidenced by the new subdivision just to the east of Covington Ridge on Long Lake.

Thank you for listening to our concerns and considering them in your decision.

Regards,

**Paul and Cheryl Geesey**

**527 Sara Drive  
Troy, MI 48085  
248.689.9374**

\*\*\*\*\*  
\*\* LEGAL DISCLAIMER \*\*  
\*\*\*\*\*

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12/22/03

**From:** Lantzy, Bill [BLantzy@dmc.org]  
**Sent:** Tuesday, November 11, 2003 8:42 AM  
**To:** planning@ci.troy.mi.us  
**Subject:** RE-ZONING PROPERTY EAST OF COVINGTON RIDGE SUBDIVISION

As a resident of troy for the past 12 years, I am writing you to deny the request to re-zone the property east of the Covington Ridge subdivision from R-1T (One Family Attached Residential) to the B-2 (Community Business). I truly believe this would be a mistake to move ahead for a number of reasons. Homeowners in Troy moved into their homes based on how the area around them was zoned, now the city continually wants to re-zone area to cause problems for the residents of this area. This would increase traffic, noise, safety issues, along with the possibility of property values being affected. Property was zoned in the area for a reason, the original plan still makes sense. Bill Lantzy 5161 Shady Creek





188 HARRINGTON DRIVE

TROY MICHIGAN 48098

OFFICE  
248.828.1010

FAX  
248.828.9612

HARRINGTONPARKMI@AOL.COM

WWW.HARRINGTONPARKMI.COM

November 11, 2003

City of Troy  
Planning Commission  
500 W Big Beaver  
Troy MI 48084

NOV 13 2003

PLANNING DEPT.

RE: The Matter of the Rezoning of the Parcel Located on the  
South Side of Long Lake Road and West of Rochester Road

To the Esteemed Members of the Planning Commission,

This is to voice our concerns in the matter of the rezoning of the parcel located on the south side of Long Lake Road and west of Rochester Road, that our company, Harrington Park Development LLC is categorically and firmly opposed to the suggested rezoning. The reasons for this opposition are many:

1. The master plan of Troy does not allow for this type of zoning in this area.
2. The proposed rezoning would increase traffic congestion and noise pollution to unacceptable levels.
3. There is currently a high vacancy rate in commercial property in this immediate area, specifically at the location on the north side of Long Lake Road and the west side of Rochester Road – right across Long Lake Road from the proposed rezoning.
4. This rezoning proposal would lower the property value of our new residential development adjacent to the subject property. We purchased our property recently with the understanding that the adjacent property is zoned residential. We would suffer major economic loss if this zoning is approved.

We have made many attempts to contact the owners of the parcel in question to work out a mutually agreeable arrangement. We have yet to receive a response from them.

Thank you for your time and consideration in this matter.

Sincerely,

Richard Spehar  
Harrington Park Development LLC

cc: file-RB000

Charlene Calabro  
488 Trillium Dr.  
Troy, MI

Resident in Shady Creek Subdivision. May not be able to attend meeting and wanted her opinion know.

She is strongly opposed to the proposed rezoning at south side of Long Lake and west of Rochester (former Goodman parcel). Was against it before (proposed Home Depot) and still is against the rezoning to commercial.

Yili Zhuang  
4872 Somerton Dr.  
Troy, MI

Resident in Covington Ridge. May not be able to attend meeting and wanted her opinion know.

She is strongly opposed to the proposed rezoning at south side of Long Lake and west of Rochester (former Goodman parcel).

Feels will have negative effect on character of neighborhood and the property values in the neighborhood.

DATE: January 19, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services  
Mark Stimac, Director of Building and Zoning

SUBJECT: Agenda Item C-2, Public Hearing  
Request for Commercial Vehicle Appeal  
1839 E. Wattles Road

On June 18, 2001, Council approved an appeal of the commercial vehicle ordinance requirements submitted by Mr. Jim Laplante related to the Ford dump truck located on the residential property at 1839 E. Wattles. That approval was granted for a period of two years. That approval expired in June of 2003. Unfortunately, the Building Department did not send the expiration reminder until last month. In response to our reminder, Mr. Laplante did file an application for a new appeal. In our discussions with Mr. LaPlante regarding his application we found that in addition to the Ford dump truck, originally approved for outside storage on the property, he also has three trailers associated with his business that are being stored outside plus he recently purchased another Ford stake truck for which he wishes to obtain approval. Public hearing notices have been sent out accordingly for these additional items. Pictures of the vehicles and equipment, provided by the petitioner, are enclosed for your reference.

The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of January 26, 2004.

Should you have any questions or require additional information, kindly advise.

COMMERCIAL VEHICLE  
APPEAL APPLICATION

RECEIVED

DEC 17 2003

BUILDING DEPARTMENT

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

NAME: Jimmy LaPlante

ADDRESS: 1839 E. Wathes

CITY: Troy MI. ZIP: MI PHONE: (648) 528-1309

ADDRESS OF SITE: 1839 E. Wathes

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)  
1FBJF37H8GKB65191

LICENSE PLATE NUMBER(S) Bw 6485

DESCRIPTION OF VEHICLE(S) 1986 Ford Dump Truck

REASON FOR APPEAL (see A - D below) (D) Variance was

granted once and just needs to be renewed

(Truck is the same) Changes included are a

Privacy fence is being put up. (Partially Done) and  
THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING: Property cleaned up.

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

J. L. P. H.

(signature of applicant)

STATE OF MICHIGAN

COUNTY OF Oakland

On this 15 day of December, 2003 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Mary Suzanne McHennis  
Notary Public, County, Michigan

My Commission Expires: May 30, 2007









RECEIVED

JAN 02 2004

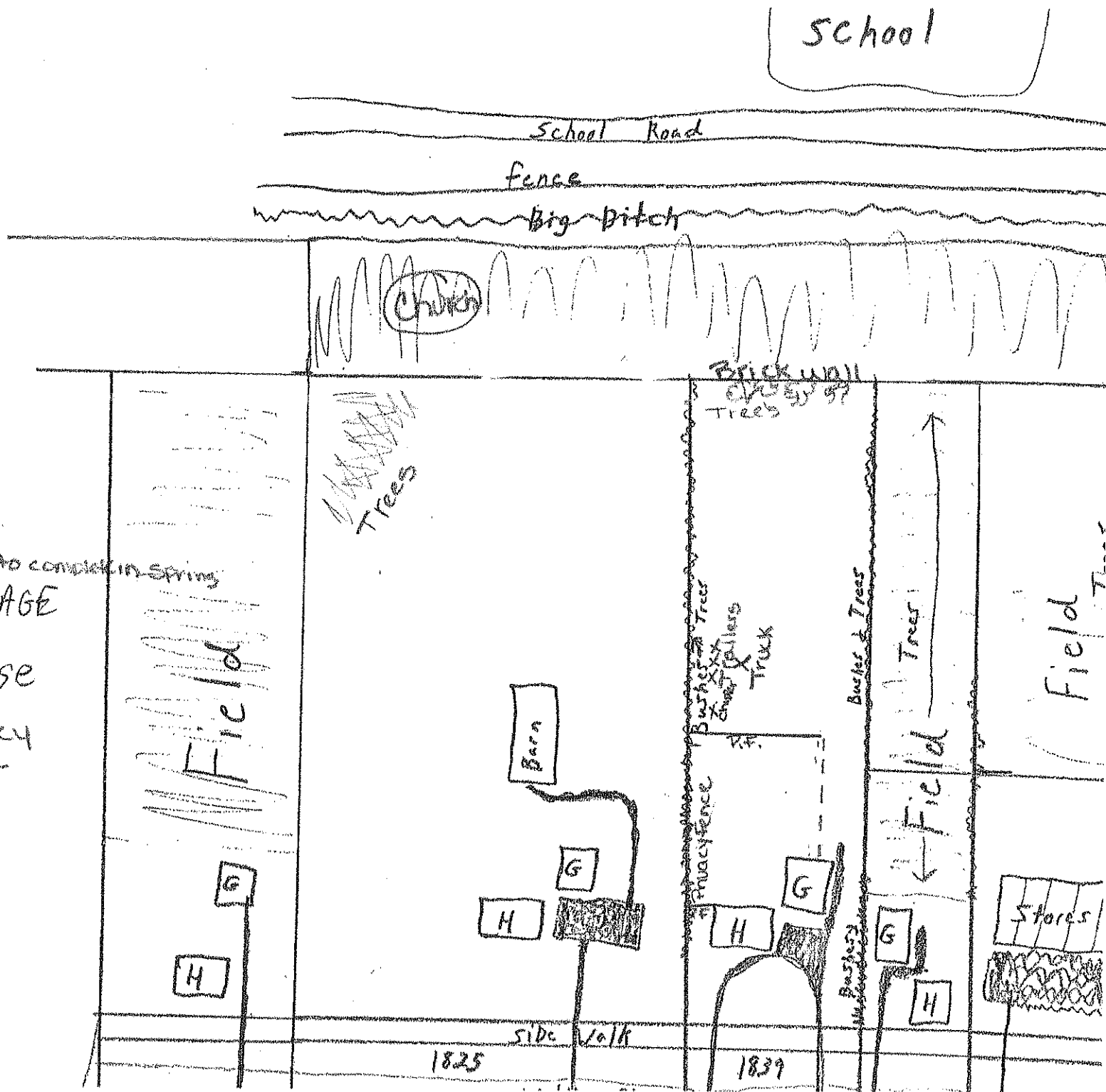
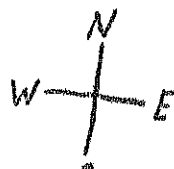
BUILDING DEPARTMENT

--- Privacy Fence to complete in Spring

G - GARAGE

H - House

PF - Privacy Fence





31

1776

1801

1825

1839

1865

1883

1899

1903

1907

1923

1931

1939

E WATTLES

977

VIC 004

3978

1810

1820

1830

1839

1839

January 14, 2004

City of Troy  
Attn: Mark Stimac  
Director of Building & Zoning  
500 West Big Beaver Road  
Troy, Michigan 48084

RE: Relief of Ordinance

DESCRIBED AS: T.2.N., R11E, SECTION 14, LOT #6 except for S 27' taken for the road, Supervisor's Plat #18

SIDWELL #14-426-030

COMMONLY KNOWN AS: 1839 E. WATTLES ROAD

Mr. Stimac:

Please consider this letter as my expression and desire that approval be granted to Jim LaPlante to store dump truck(s), Stake truck(s), and multiple commercial trailers outdoors on his property. It is further my expression and desire that if Mr. LaPlante seeks any other approval at this time, that approval be granted for those additional requests.

My interest in this matter is as Mr. LaPlante's next door neighbor. My single family residential building is located at 1865 East Wattles Road, adjacent to Mr. LaPlante's property, on his east property line.

Unfortunately I will not be able to attend the January public hearing on Monday, January 26, 2004 at 7:30 p.m. Therefore, if this letter is not exactly clear as to my expressions and desires, please feel free to contact me anytime.



Jamie J. Muter, Partner  
Wattles 1865 Troy, LLC

A Regular Meeting of the Troy City Council was held Monday, January 12, 2004, at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:40 P.M.

The Invocation was given by Pastor T.J. Klapperich – First Baptist Church and the Pledge of Allegiance to the Flag was given.

**ROLL CALL**

**PRESENT:** Mayor Matt Pryor  
Cristina Broomfield  
David Eisenbacher  
Martin F. Howrylak  
David A. Lambert  
Jeanne M. Stine  
**ABSENT:** Robin E. Beltramini

**Resolution to Excuse Council Member Beltramini**

Resolution #2004-01-013  
Moved by Lambert  
Seconded by Howrylak

RESOLVED, That Council Member Beltramini's absence at the Regular City Council meeting of Monday, January 12, 2004 **BE EXCUSED** due to being out of town.

Yes: All-6  
No: None  
Absent: Beltramini

**PRESENTATIONS:** No presentations scheduled.

**PUBLIC HEARINGS:** No public hearings scheduled.

**PUBLIC COMMENT:**

---

**A. Items on the Current Agenda**

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**B. Items Not on the Current Agenda**

## CONSENT AGENDA

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### E-1 Approval of Consent Agenda

Resolution #2004-01-014-E-1

Moved by Eisenbacher

Seconded by Broomfield

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented.

Yes: All-6

No: None

Absent: Beltramini

---

### E-2 Minutes: Regular Meeting of January 5, 2004 and Study Session of January 7, 2004

Resolution #2004-01-014-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of January 5, 2004 and the Minutes of the 8:00 PM Study Session Meeting of January 7, 2004, be **APPROVED** as submitted.

---

### E-3 Proposed City of Troy Proclamations: No proclamations proposed.

---

### E-4 Corrected Resolution: Civic Center Land Sales Ballot Proposal from Regular City Council Meeting Held on Monday, December 15, 2003

**NOTE:** The below corrected Resolution #2003-12-630 from the Regular City Council Meeting held on Monday, December 15, 2003 has been resubmitted for Council approval noting that "proposed Charter amendment" has been **STRICKEN** and "Ballot proposition" has been **INSERTED**.

Resolution #2004-01-014-E-4

RESOLVED, That Troy City Council **APPROVES** as to form the following **proposed Charter amendment Ballot proposition** for the April 5<sup>th</sup> 2004 election:

Shall the City of Troy, Michigan, be authorized to convey seven acres of the Troy Civic Center site for the development of conference/hotel facilities?

---

### E-5 Corrected Resolution: Revised Final Site Condominium Approval – Shady Creek South Site Condominium, North of Long Lake Road and West of Rochester Road – Section 10 – R-1B Regular City Council Meeting Held on Monday, January 5, 2004

---

**NOTE:** The below corrected Resolution #2004-01-006-E-07 from the Regular City Council Meeting held on Monday, January 5, 2004 has been resubmitted for Council approval noting that "56" has been **STRICKEN** and "5" has been **INSERTED**.

Resolution #2004-01-014-E-5

RESOLVED, That the Revised Final Site Plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Shady Creek South Site Condominium as recommended for approval by City Management, located north of Long Lake Road and west of Rochester Road, Section 10, including 56 5 home sites, within the R-1B Zoning District, being 3.02 acres in size, is hereby **APPROVED**.

---

**E-6 Private Agreement for Plumbing Industry Training Center – Project No. 03.924.3**

Resolution #2004-01-014-E-6

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Metropolitan Detroit Plumbing Industry Training Trust Fund is hereby **APPROVED** for the installation of watermain, storm sewer, and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

---

**E-7 Recognition as a Nonprofit Organization Status from the Polish American Numismatic Society, American Polish Cultural Center, for the Purpose of Obtaining a Charitable Gaming License**

Resolution #2004-01-014-E-7

RESOLVED, That the request from the Polish American Numismatic Society, American Polish Cultural Center, Troy, Michigan, County of Oakland, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license be **APPROVED** as recommended by City Management.

---

**E-8 Mon Jin Lau Fireworks Request**

Resolution #2004-01-014-E-8

RESOLVED, That the City Council of the City of Troy does hereby **WAIVE** the following City Ordinances: Chapter 98 – 98.05.16 Fireworks; and Chapter 93, 3301.1.3 Fireworks, for the purpose of celebrating Chinese New Year at the Mon Jin Lau Restaurant, located at 1515 East Maple Road, on Monday, January 26, 2004.

---

**E-9 Troy v. Obertynski**

Resolution #2004-01-014-E-9

RESOLVED, That the City of Troy City Council **APPROVES** the proposed Consent Judgment in the City of Troy v. Obertynski condemnation case and **AUTHORIZES** payment in the amount stated herein; and

BE IT FURTHER RESOLVED, That the City of Troy City Council **AUTHORIZES** the City Attorney's office to **EXECUTE** the Consent Judgment which shall be **ATTACHED** to the original Minutes of this meeting.

---

#### **E-10 Standard Purchasing Resolution 1: Award to Low Bidders – Fertilizer and Weed Control Application Services**

Resolution #2004-01-014-E-10

RESOLVED, That contracts to provide three-year requirements of fertilizer and weed control application services are hereby **AWARDED** to the low bidders, Davey Tree Expert Company for year 2004 at an estimated cost of \$69,709.00 and United Lawnscape, Inc. for years 2005 and 2006 at an estimated total cost of \$143,746.00, at unit prices in the bid tabulation opened December 9, 2003, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the awards are **CONTINGENT** upon contractors' submission of properly executed bid documents, including bonds, Insurance certificates, and all other specified requirements.

---

#### **E-11 Maple Road Widening Condemnation Cases**

Resolution #2004-01-014-E-11

RESOLVED, That the Consent Judgment in the matter of City of Troy and City of Birmingham v. 2100 East Maple Road, L.L.C., et al is hereby **APPROVED** by the City of Troy and the City Attorney is **AUTHORIZED TO EXECUTE** the document on behalf of the City of Troy a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

---

#### **E-12 Standard Purchasing Resolution 10 – Travel Authorization and Approval to Expend Funds for Troy City Council Members' Travel Expenses – 2004 MML Legislative Conference**

Resolution #2004-01-014-E-12

RESOLVED, That the Mayor and City Council Members are **AUTHORIZED** to attend the 2004 MML Legislative Conference at the Lansing Center on March 24, 2004 in accordance with accounting procedures of the City of Troy.

**REGULAR BUSINESS**

**F-1 Appointments to Boards and Committees: (a) Mayoral Appointments: 1. Economic Development Corporation & 2. Planning Commission; (b) City Council Appointments: 1. Advisory Committee for Persons with Disabilities, 2. CATV Advisory Committee, 3. Election Commission, & 4. Troy Daze**

<b>(b) City Council Appointments</b>
--------------------------------------

Resolution #2004-01-015

Moved by Lambert

Seconded by Eisenbacher

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

**Election Commission**

**Appointed by Council (3) – 1 year**

**David Anderson**

**Term expires 01-31-2005**

Yes: All-6

No: None

Absent: Beltramini

**Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting Agenda Scheduled for February 2, 2004:**

<b>(a) Mayoral Appointments</b>
---------------------------------

**Economic Development Corporation**

**Mayor, Council Approval (9) – 6 years**

**Stuart F Redpath - Does not seek reappointment**

**Term expires 04-30-2009**

**Term expires 04-30-2009**

**Term expires 04-30-2009**

**Planning Commission**

**Mayor, Council Approval (9) – 3 years**

**Walter Storrs - Seeks reappointment**

**Term expires 12-31-2006**

<b>(b) City Council Appointments</b>
--------------------------------------



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**Advisory Committee for Persons with Disabilities**

Appointed by Council (9 Regular, 3 Alternates) – 3 years

---

Term expires 11-01-2006 (Alternate)

---

Term expires 07-01-2004 (Student)

---

**CATV Advisory Committee**

Appointed by Council (7) – 3 years

---

**R. Minnick- Resigned to serve on the Traffic Comm.**

Unexpired term expires 9-30-2006

---

**Election Commission**

Appointed by Council (3) – 1 year

---

Term expires 01-31-2004

---

**Troy Daze**

Appointed by Council (9) – 3 years

---

Term expires 11-30-2004

---

Term expires 07-01-2003 Student

---

**F-2 Closed Session – None Requested**

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**F-3 Approval of Contract with MDOT for Phase I of the Travel Demand Management (TDM) Program – Project No. 02.105.5**

Resolution #2004-01-016

Moved by Eisenbacher

Seconded by Lambert

RESOLVED, That the Agreement between the City of Troy and the Michigan Department of Transportation for Phase I of the Travel Demand Management (TDM) Program, Project No. 02.105.5, is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall **BE ATTACHED** to the original Minutes of this meeting.

Yes: All-6

No: None

Absent: Beltramini

---

**F-4 Appointment of Historic District Study Committee**

Resolution #2004-01-017

Moved by Eisenbacher

Seconded by Stine

RESOLVED, That the appointment by City Council of the Historic District Study Committee be **ADVANCED** to the February 16, 2004 Troy City Council Meeting.

Yes: All-6

No: None

Absent: Beltramini

**COUNCIL COMMENTS/COUNCIL REFERRALS**

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Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda: No items advanced.

**COUNCIL REFERRALS****REPORTS AND COMMUNICATIONS**

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**G-1 Minutes – Boards and Committees:**

- (a) Youth Council/Final – November 12, 2003
- (b) Library Board /Final – November 13, 2003
- (c) Civic Center Priority Task Force – December 10, 2003
- (d) Library Board/Draft - December 11, 2003

Noted and Filed

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**G-2 Department Reports:**

- (a) Permits Issued July Through December 2003
- (b) Permits Issued During the Month of December
- (c) Permits Issued During the Year 2003

Noted and Filed

---

**G-3 Announcement of Public Hearings:**

- (a) Request for Commercial Vehicle Appeal – 1839 E. Wattles Road – **Scheduled for January 26, 2004**

Noted and Filed

---

**G-4 Green Memorandums:**

- (a) Community Center Recreation Pass Fees

**Note:** Resubmittal of memorandum regarding Community Center recreation pass fees along with updates regarding annual fees, and endorsement by the Parks and Recreation Advisory Board. Fee increases will take effect on February 2, 2004 for new pass holders and March 1, 2004 for current pass holders.

Noted and Filed

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**G-5 Proposed Proclamations/Resolutions from Other Organizations:**

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**G-6 Calendar**

Noted and Filed

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**G-7 Letters of Appreciation:**

- (a) Letter from Keith Kleckner – Acting Director, Cranbrook Institute of Science and John P. McCulloch – Oakland County Drain Commissioner, to Jennifer Lawson Thanking Her for Volunteering at the 2003 Rouge River Water Festival at Cranbrook Institute of Science

Noted and Filed

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**G-8 Memorandum, Re: Sauger v. Troy, Et Al**

Noted and Filed

---

**G-9 Memorandum, Re: Joint Committee**

Noted and Filed

**PUBLIC COMMENT****STUDY ITEMS**

The meeting **RECESSED** at 8:22 P.M.

---

**H-1 Development of Mission Statement Governing Cultural Displays on City Property that Represent Positive Community Values**

The proposed mission statement: is as follows: “The *Troy City Plaza*\* is dedicated to the positive expression of our cultural and historical heritage, philosophies, and ethnic diversity, encouraging activities and displays depicting events which will highlight and honor them.”

The following fine print will appear below the Mission Statement: “In recognition of the rights protected by the U.S. Constitution and Bill of Rights the City of Troy provides this plaza.

\*Note: Name to be determined

The meeting **ADJOURNED** at 9:05 P.M.

---

Matt Pryor, Mayor

---

Tonni L. Bartholomew, MMC – City Clerk

A Special Meeting of the Troy City Council was held Tuesday, January 20, 2004, at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 12:00 P.M.

## **ROLL CALL**

**PRESENT:** Mayor Matt Pryor  
 Robin E. Beltramini  
 Cristina Broomfield  
 David Eisenbacher  
 Martin F. Howrylak (Arrived: 12:01 pm)  
 Jeanne M. Stine  
**ABSENT:** David A. Lambert

---

### **1. April 5, 2004 – City General Election Charter Amendment Propositions**

#### **(a) Resolution to Rescind Prior Council Action**

Resolution #2004-01-018  
 Moved by Beltramini  
 Seconded by Stine

RESOLVED, That the Troy City Council **RESCINDS** Resolution #2004-01-005 as follows:

At a Regular meeting of the Troy City Council held on Monday, January 5, 2004, the following Resolution was passed:

Resolution #2004-01-005  
 Moved by Eisenbacher  
 Seconded by Howrylak

RESOLVED, That Troy City Council **APPROVES** as to form the following proposed Charter amendments for the April 5th 2004 election:

1. Shall Section 3.4 of the Troy Charter be amended to modify the implementation of the new state legislation mandating four-year terms, effective with the 2005 election cycle, to allow for continued staggering of terms through the election of the Mayor and Council Members according to the following odd year November election schedule:

2005 Council Members - Four-Year Term Expiring 2009, Elect Two  
 2007 Mayor - Four-Year Term Expiring 2011, Elect One  
 2007 Council Members - Four-Year Term Expiring 2011, Elect Three  
 2007 Council Members - Two-Year Partial Term Expiring 2009, Elect One

2. Shall Section 7.9 of the Troy Charter, which requires “nomination petitions for candidates for regular city elections to be filed with the Clerk on or before 4 o'clock pm of the twenty-eighth (28) day preceding the third Monday of February of each year”, be replaced with “nomination petitions for candidates for regular city elections are to be filed with the Clerk
-

on or before 4 o'clock pm of the one hundredth (100th) day preceding the City election for each election year”?

3. Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to reduce the number of signatures from “at least ten percent of the registered electors of the City”, to “at least 2,000 signatures of the registered electors of the City”?
4. Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to increase the time period to gather signatures from “twenty-one” days prior to the filing of the petition to “ninety days prior to the filing of the petition”?
5. Shall Section 7.5.5 of the Troy Charter, which discusses term limits, be amended to delete “Any portion of a term served shall constitute one full term” and insert “Any service greater than two years plus one month constitutes a term”?
6. Shall Section 12.1 of the Charter, which currently requires sealed bids to be obtained for all sales and purchases in excess of ten thousand dollars, be replaced with the requirement to obtain competitive bids through a traditional sealed bid procedure or alternative means, including but not limited to, electronic submission or reverse auction methods, providing the method used preserves the integrity of the competitive bid process?
7. Shall Section 3.8.5 of the Troy Charter be repealed to eliminate the requirement for the Mayor to send an annual proclamation to the U.S. Congress encouraging them to use their best efforts to amend the Constitution to require term limits on the U.S. Congress?

Yes: All-7

Yes: Pryor, Beltramini, Broomfield, Eisenbacher, Howrylak, Stine

No: None

Absent: Lambert

## MOTION CARRIED

### (b) Resolution to Adopt April 5, 2004 City General Election Charter Amendment Propositions

Resolution #2004-01-01-019

Moved by Beltramini

Seconded by Stine

RESOLVED, That Troy City Council **APPROVES** as to form the following proposed Charter amendments for the April 5th 2004 City General Election:

1. Shall Section 7.9 of the Troy Charter, which requires “nomination petitions for candidates for regular city elections to be filed with the Clerk on or before 4 o'clock pm of the twenty-eighth (28) day preceding the third Monday of February of each year”, be replaced with “nomination petitions for candidates for regular city elections are to be filed with the Clerk
-

on or before 4 o'clock pm of the one hundredth (100th) day preceding the City election for each election year”?

2. Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to reduce the number of signatures from “at least ten percent of the registered electors of the City”, to “at least 2,000 signatures of the registered electors of the City”?
3. Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to increase the time period to gather signatures from “twenty-one” days prior to the filing of the petition to “ninety days prior to the filing of the petition”?
4. Shall Section 7.5.5 of the Troy Charter, which discusses term limits, be amended to delete “Any portion of a term served shall constitute one full term” and insert “Any service greater than two years plus one month constitutes a term”?
5. Shall Section 12.1 of the Charter, which currently requires sealed bids to be obtained for all sales and purchases in excess of ten thousand dollars, be amended to allow for competitive bids through alternative methods including but not limited to electronic submission or reverse auction methods, by replacing “sealed bids shall be obtained” with “competitive bids shall be obtained through a traditional sealed bid procedure or alternative methods, providing the method used preserves the integrity of the competitive process”?
6. Shall Section 3.8.5 of the Troy Charter be repealed to eliminate the requirement for the Mayor to send an annual proclamation to the U.S. Congress encouraging them to use their best efforts to amend the Constitution to require term limits on the U.S. Congress?

Yes: Pryor, Beltramini, Broomfield, Eisenbacher, Howrylak, Stine

No: None

Absent: Lambert

## PUBLIC COMMENT

The meeting **ADJOURNED** at 12:05 P.M.

---

Matt Pryor, Mayor

---

Tonni L. Bartholomew, MMC – City Clerk

---

DATE: January 19, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services  
Stave Vandette, City Engineer  
Mark F. Miller, Planning Director

SUBJECT: AGENDA ITEM - PRELIMINARY PLAN REVIEW – Crestwood Site Condominium, North of Wattles, East of Livernois, part of the Crestfield Subdivision in the SW ¼ of Section 15 - R-1C.

### **RECOMMENDATION**

The Planning Commission recommended approval of the Preliminary Site Plan at their December 9, 2003 Regular Meeting, with the following conditions:

1. Detention basin shall be dedicated to the City of Troy for future maintenance. A 12-foot wide paved driveway shall be constructed on this property for the purpose of detention pond maintenance from Wattles Road, to be located along side Wattles Road at the restrictor end of the detention pond.
2. A walkway connection shall be provided to connect Wattles Road and the proposed street, extending along side the north side of the detention pond to the west end of the detention pond as proposed by the applicant; and further, should the applicant not be able to provide the walkway as proposed, a written explanation from City Management or staff as to the reasons why it cannot be provided shall be provided to the Planning Commission.
3. The “open space” shown on the site plan shall be clearly marked as “Convertible Area “ on all drawings and also all appropriate condominium documents shall reference this same future use.
4. The construction or access road as shown on the drawing shall be removed and the existing crushed gravel driveway further to the east would be the access road as indicated by the applicant.
5. That a temporary cul de sac be constructed at the west end of the street with the understanding that it would be removed if at any time in the future the lot development was extended to the west.

6. That if the area to the west of the proposed temporary cul de sac is developed in the future, there shall be no interconnection to Wattles Road from that development.
7. That should there be any substantial change to the site plan, the site plan shall come back before the Planning Commission for review and approval.

The petitioner revised the site plan in response to this recommendation:

1. The “open space” area clearly shows that the area is convertible area for future development. The site plan shows 5 future units. Approval of the 23-unit site condominium does not include approval of the 5 potential units.
2. The location of the future construction road was clarified.
3. A 5-foot wide sidewalk connection between the 8-foot wide sidewalk on Wattles Road and the 5-foot wide interior sidewalk was added.
4. A 12-foot wide concrete access drive to the detention pond was added.

The application meets the requirements of the City of Troy Zoning Ordinance and Subdivision Control Ordinance. City Management recommends that proposed single-family residential developments be connected to major mile roads and abutting single-family residential neighborhoods whenever possible. For this reason, City Management prefers a layout with a direct vehicular connection between Wattles and Tallman. A sketch has been provided that illustrates the layout preferred by City Management.

### **GENERAL INFORMATION**

Name of Owner / Petitioner:

RWT Building LLC owns the property. They are represented by Michael Lamb.

Location of subject property:

The property is located on the north side of Wattles Road, east of Livernois and west of Rochester.

Size of subject parcel:

11.983 acres.

Parcel History:

The applicant received Preliminary Site Plan Approval from Troy City Council on February 3, 2003. The approved 23-unit site condominium featured 4 units on Hanover Street and 19 units fronting a cul-de-sac with access on Wattles Road. A



sidewalk and emergency access drive connected the development to the Tallman Drive stub street.

Description of proposed development, including number and density of units:

The petitioner is proposing to develop a site condominium with a total of 23 single-family residential units. This represents a density of approximately 1.92 units per acre.

Current use of subject property:

The parcel is presently vacant.

Current use of adjacent parcels:

North: Single family residential.

South: (Across Wattles) Single family residential.

East: Single family residential.

West: Single family residential.

Current zoning classification:

R-1C One Family Residential

Zoning classification of adjacent parcels:

North: R-1C One Family Residential

South: R-1C One Family Residential

East: R-1C One Family Residential

West: R-1C One Family Residential

Future Land Use Designation:

The parcel is designated as Low Density Residential on the Future Land Use Plan.

**ANALYSIS**

Compliance with area and bulk requirements:

Lot Area: The minimum lot area in the R-1C district is 10,500 square feet. The applicant has utilized the lot averaging option, with minimum 9,450 square feet lots. The applicant meets this standard.

Lot Width: The lot averaging option allows lots to be reduced to 76.5 feet width on interior lots and 100 feet on corner lots.

Height: The maximum height in the R-1C district is 25 feet. The applicant is not required to include building elevations for preliminary site plan approval.

Setbacks: The front yard setback is 30 feet, the rear yard setback is 40 feet and the side yard setbacks are 10 feet each, totaling 20 feet. Section 10.60.03 requires a yard setback of 50 feet for parcels abutting a major thoroughfare.

Minimum Floor Area: The minimum floor area per unit is 1,200 square feet. The applicant is not required to include building dimensions for preliminary site plan approval.

Off-street parking and loading requirements:

The development will be required to provide two (2) off-street parking spaces per unit.

Environmental provisions, including Tree Preservation Plan:

The applicant submitted a Preliminary Tree Preservation Plan, which was approved by the Parks and Recreation Department.

Stormwater detention:

The applicant is proposing to provide stormwater detention east of the Sturgis Drain. A 12-foot wide driveway was provided from Wattles Road to service the detention area.

Natural features and floodplains:

There are significant natural features located on the site. The lot is heavily wooded. The Sturgis Drain flows northerly through the eastern half of the parcel.

A letter from the MDEQ dated October 24, 2000, indicates that there are state regulated wetlands on the parcel.

The applicant has provided a drawing indicating that the entire site is located within the 100-year floodplain as indicated on the FIRM map. The firm of Hubble, Roth and Clark is presently developing a report on the 100-year floodplain boundary, which may change in the future as a result of this report. There are State regulated wetlands located on the parcel.

Subdivision Control Ordinance, Article IV Design Standards

Blocks: The proposed cul-de-sac which essentially extends Tallman Drive to the southwest is approximately 780 feet in length. Cul-de-sacs may exceed 500' in length upon the approval of the Planning Commission.

Lots: Proposed lots conform to the minimum requirements of the Zoning Ordinance.

Easements: There are a number of easements within the proposed development, including a 30-foot wide non-access greenbelt easement, 12 or 15-foot wide storm sewer easements, a 20-foot wide water main easement and 10 or 12-foot wide public utility easements.

Topographic Conditions: Essentially the entire site lies within the 100-year FIRM map floodplain boundary, including the proposed detention area. The applicant must receive MDEQ approval prior to beginning any construction within a floodplain or altering a floodplain.

There are regulated wetlands on the parcel. The applicant has provided a Wetland Assessment Report dated October 24, 2000, which indicates this. These wetlands are not accurately delineated on the site plan. The applicant requires MDEQ approval prior to the filling or altering of any state regulated wetland

Streets: The applicant is proposing to extend Tallman drive to the southwest. There will be no direct access onto Wattles Road. City Management prefers a direct vehicular connection onto Wattles Road. The applicant has not provided alternate layouts.

Sidewalks: The applicant is proposing a 5-foot wide sidewalk along both sides of the cul-de-sac.

Walkways: There is a 5-foot wide walkway proposed to connect Wattles Road and the proposed 5-foot wide interior sidewalk.

Utilities: The parcel is served by public water and sewer.

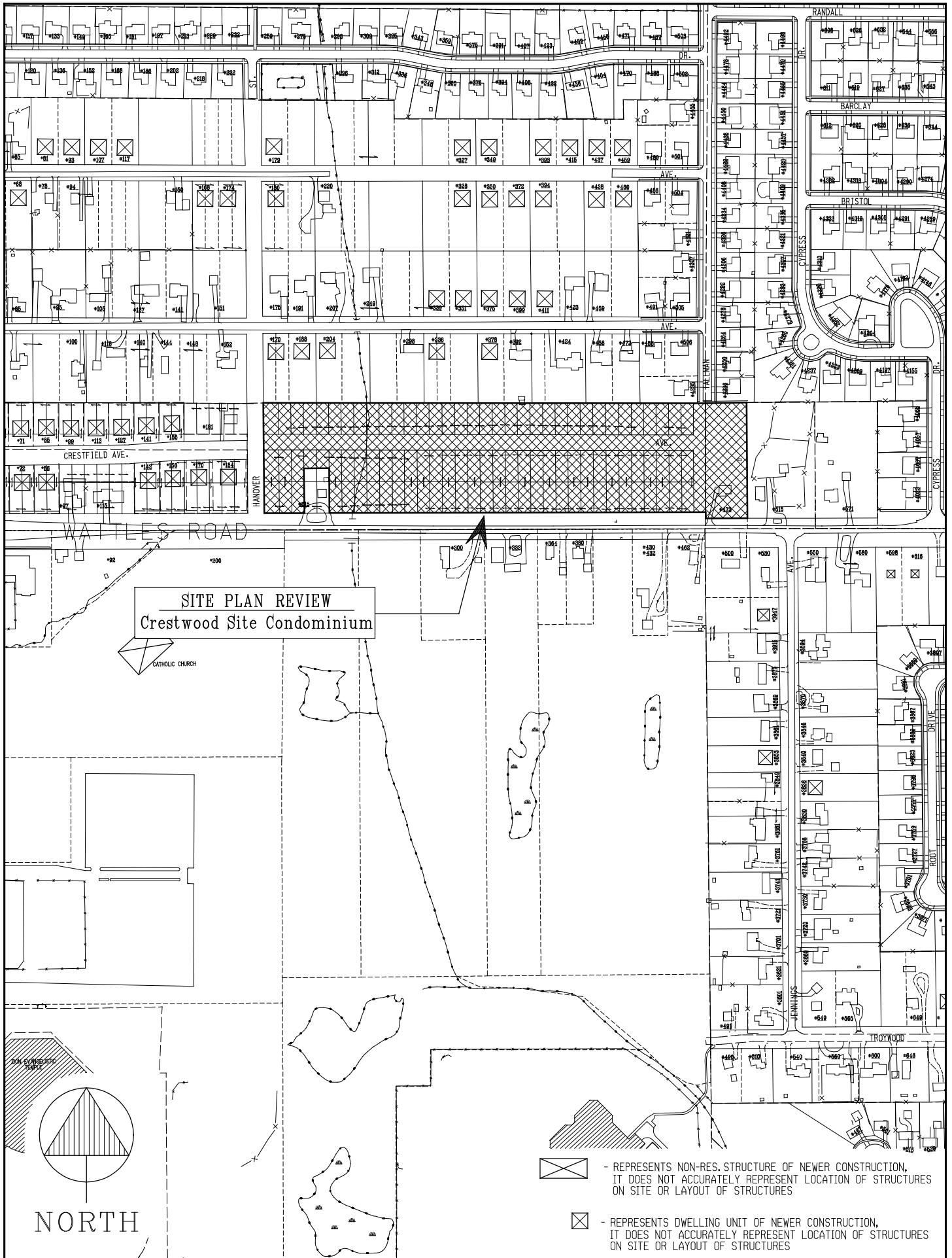
Attachments:

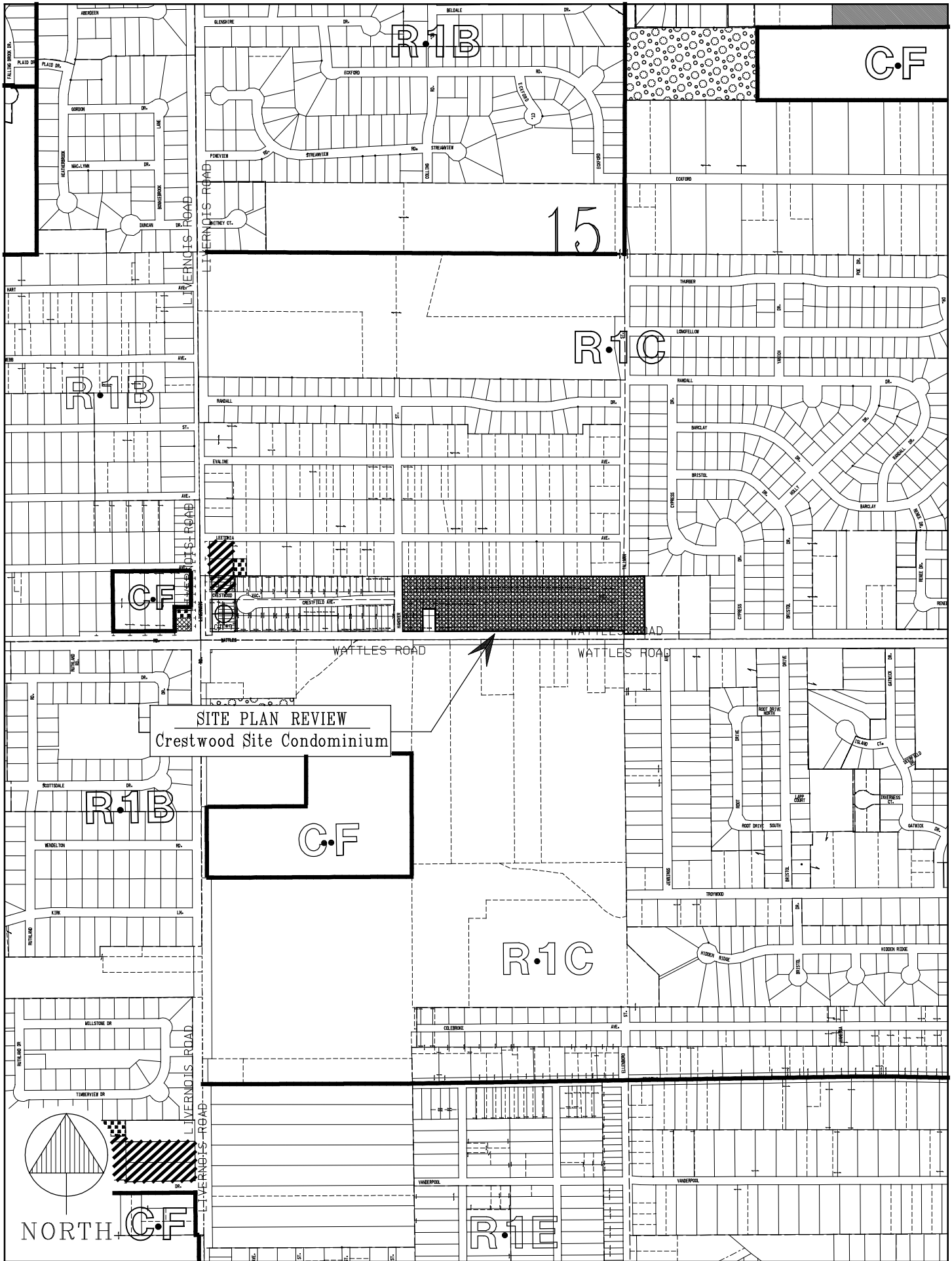
1. Maps
2. Layout for Crestwood Preferred by City Management
3. Unplatted Residential Development Levels of Approval
4. Comparison Between Site Condominiums and Plats
5. Public Comments from December 9, 2003 Planning Commission Regular Meeting
6. Preliminary Site Plan for Crestwood Site Condominium
7. Petition

cc: RWT Building, LLC, owner  
File

# CITY OF TROY







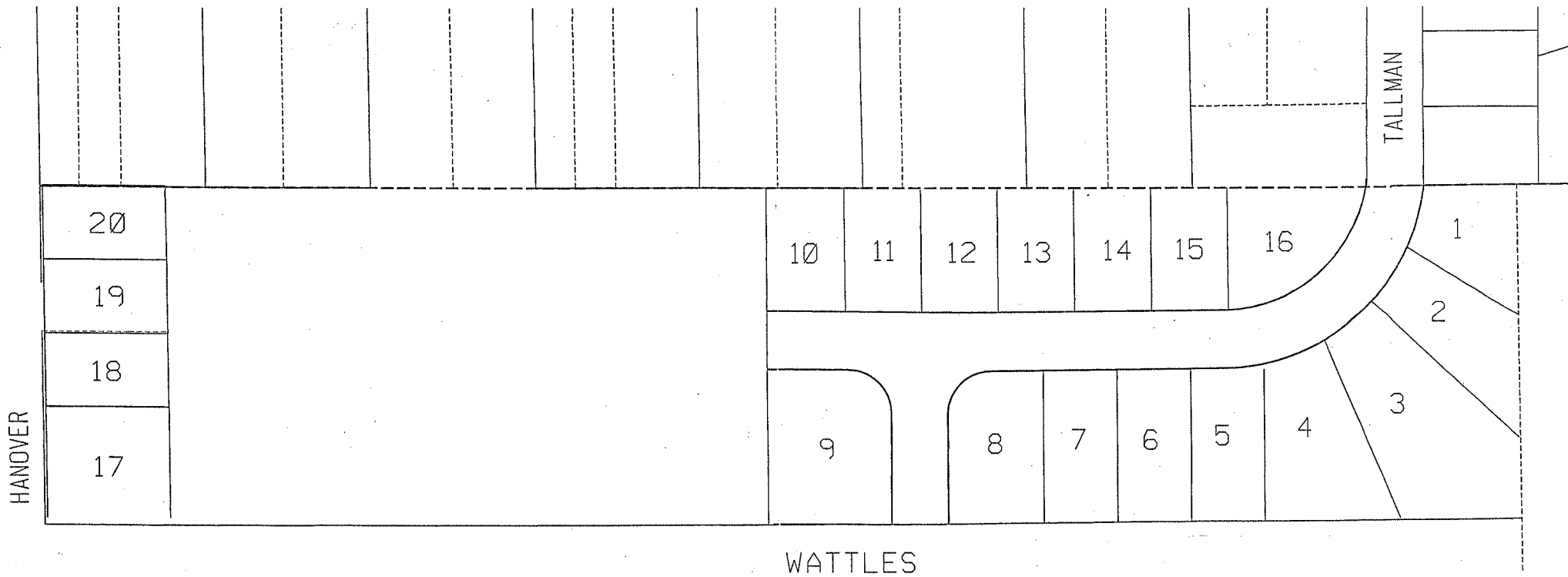


SITE PLAN REVIEW  
CRESTWOOD SITE CONDOMINIUM  
S SIDE WATTLES, E OF LIVERNOIS  
SEC. 15 (R-1C, 23 LOTS)



SITE PLAN REVIEW  
CRESTWOOD SITE CONDOMINIUM

PREFERRED BY CITY MANAGEMENT





## UNPLATTED RESIDENTIAL DEVELOPMENT LEVELS OF APPROVAL

### **Preliminary Plan Approval**

A sign is placed on the property informing the public of the proposed development.

Adjacent property owners are notified by mail

Public meeting held by **Planning Commission** for review and recommendation to City Council

**City Council** reviews and approves plan

The following items are addressed at Preliminary Plan Approval:

- Street Pattern, including potential stub streets for future development
- Potential development pattern for adjacent properties
- Fully dimensioned residential parcel layout, including proposed building configurations
  - Number of lots
  - Building setbacks
  - Lot dimensions
  - Locations of easements
- Preliminary sanitary sewer, storm sewer, and water main layout
- Environmental Impact Statement (if required)
- Location(s) of wetlands on the property

### **Final Plan Approval**

Notice sign is posted on site

**City Council** review and approval of:

- Final Plan
- Contract for Installation of Municipal Improvements (Private Agreement)

The following items are addressed at Final Plan Approval:

- Fully dimensioned plans of the total property proposed for development, prepared by registered Civil Engineer or Land Surveyor
- Corners of all proposed residential parcels and other points as necessary to determine that the potential parcels and building configurations will conform with ordinance requirements
- Warranty Deeds and Easement documents, in recordable form for all ROW. and easements which are to be conveyed to the public
- Construction plans for all utilities and street improvements, prepared in accordance with City Engineering Design Standards:
  - Sanitary and Storm sewer
  - Water mains
  - Detention / Retention basins
  - Grading and rear yard drainage
  - Paving and widening lanes
  - Sidewalk and driveway approaches
- Approval from other government agencies involved with the development
- Verification of wetlands and M.D.E.Q. permit if necessary
- Financial guarantees to insure the construction of required improvements and the placement of proper property and parcel monuments and markers shall be furnished by the petitioner prior to submittal of the Final Plan to the City Council for review and approval
- Floor Plans and Elevations of the proposed residential units

## **COMPARISON BETWEEN SITE CONDOMINIUMS AND PLATS**

The site condominium is a form of development that closely resembles the more traditional form of land subdivision known as a “subdivision” or a “plat”. Although both types of development have the same basic characteristics, site condominiums are a newer form of development and are not, therefore, as familiar to homebuyers and neighbors as the more customary plats. An important concept related to any type of condominium development is that condominiums are a form of OWNERSHIP, not a type of physical development.

The following summary is intended to compare and contrast the two types of development.

1. **Comparisons between site condominiums and plats.**

- a. **Statutory Basis** – Site condominium subdivisions first became possible under the Michigan Condominium Act, which was adopted by the Michigan Legislature in 1978. Plats are created under the Michigan Land Division Act, formerly the Michigan Subdivision Control Act of 1967.
- b. **Nature and Extent of Property Ownership** – An individual homesite building in a platted subdivision is called a “lot”. In a site condominium, each separate building site or homesite is referred to by the Condominium Act as a “unit”. Each unit is surrounded by “limited common area”, which is defined as common elements reserved in the master deed for the exclusive use of less than all of the co-owners”. The remaining area in the site condominium is “general common area”, defined as the common elements reserved in the master deed for the use of all of the co-owners. The nature and extent of ownership of a platted lot and a condominium unit, with the associated limited common area, are essentially equivalent from both a practical and legal standpoint.
- c. **Compliance with Zoning Ordinance** – Both site condominiums and subdivisions are required to comply with the minimum requirements of the City of Troy Zoning Ordinance for area and bulk, including minimum lot size, lot width, setbacks and building height. Essentially, site condominiums and subdivisions in Troy must “look” similar.
- d. **Creation/Legal Document** – A site condominium is established by recording in the records of the county in which the land is located a master deed, bylaws and condominium subdivision plan (“plan”). A platted subdivision is created by the recording of a subdivision plat (“plat”), usually coupled with a declaration of easements, covenants, conditions and restrictions. The plan depicts the condominium units and limited and general common areas, while the plat defines the lots. Both have

substantially the same geometrical appearance and characteristics. The master deed and bylaws on the one hand and the declaration on the other have essentially the same functions with respect to the site condominium or platted subdivision, namely, establishment of: (i) building and use restrictions; (ii) rights of homeowners to use common areas; (iii) financial obligations of owners; and, (iv) procedures for operation of the subdivision.

- e. **Home Maintenance and Real Estate Taxes** – Each unit and lot, as respectively depicted on a condominium plan or subdivision plat, together with any home located thereon, are required to be individually maintained by the owner. Likewise, separate real estate taxes are assessed on each condominium unit or platted lot and paid individually by each homeowner.
- f. **Roads and Utilities** – In most plats, roads are dedicated to the public and maintained by the county road commission or the municipality in which the subdivision is located. Site condominium roads can be either public or private. Sanitary sewer and water supply are public in both. Storm water detention can vary between public and private dedication in both platted and condominium subdivisions.
- g. **Common Areas** – In a site condominium, general common areas, such as open space, entrance areas and storm drainage system, are owned by condominium unit owners in common as an incident of ownership of each unit. In a platted subdivision, legal title to common areas is owned by a homeowners association. In both forms of development, a homeowners association administers the common areas for the benefit of all homeowners equally.
- h. **Homeowners Association** – It is important in both types of development to incorporate a homeowners association comprised of all lot owners or unit owners, as the case may be, to maintain common areas, enforce restrictions and regulations, collect assessments and otherwise administer the common affairs of the development. Because the Condominium Act confers special enforcement powers upon homeowner associations, which are not characteristic of platted subdivision associations, it is generally thought that the condominium form is superior from the standpoint of enforcing rules and regulations of the private community.
- i. **Financial Obligations of Homeowners** – In both types of development, the homeowners association is given the power to assess property owners to pay for maintenance of all common areas and other expenses of administration. Failure to pay give rise to a lien on the defaulting owner's homesite thus providing financial security that the common areas will be properly maintained for the benefit of all homeowners.

- j. **Public Relations** – The same types of public health, safety and welfare regulations apply to both forms of development. Procedurally, the methods of applying for and obtaining plat or condominium plan approval are similar at the municipal level.
- k. **Unique Characteristics of Condominium Unit Purchase** – The Condominium Act provides special benefits for site condominium unit purchasers: (i) a 9-day period after signing a purchase agreement within which a purchaser may withdraw without penalty; and (ii) a requirement that all condominium documents, supplemented by an explanatory disclosure statement, be furnished to all purchasers at the time of entry into a purchase agreement. There are no similar benefits to purchasers provided under the Land Division Act.
- l. **Local and State Review** – Both development types require City Council approval, following a recommendation by the Planning Commission. Unlike subdivisions, site condominiums do not require the review and approval of the Michigan Department of Consumer and Industry Services. For this reason it can sometimes take a substantially shorter period of time to obtain necessary public approvals of site condominiums than platted subdivisions.

**2. Reason for choosing one form versus another.**

Developers and municipalities often prefer the site condominium approach because of better control of market timing. It should be emphasized that the site condominium choice never sacrifices any public protections that would otherwise be present in the case of a platted subdivision under similar circumstances.

**3. Conclusion.**

The platted subdivision approach and the newer site condominium technique are two different statutory methods of reaching essentially the same practical and legal result of subdividing real estate into separate residential building sites. Both methods are required to meet substantially the same public health, safety and welfare requirements. The site condominium is sometimes chosen over the platted subdivisions because of perceived benefits to purchasers, homeowners, and developers.

## **SITE CONDOMINIUM SITE PLAN**

Chairman Littman extended apologies to the abutting homeowners who received notifications of the proposed Crestwood Site Condominium development at such a late date.

Mr. Waller requested a legal opinion as to whether or not Item 4, Crestwood Site Condominium, should be tabled because notifications were not received in a timely manner.

Mr. Motzny responded there is no legal requirement to table the item and no reason why the Commission cannot proceed at this time; however, the Commission has the discretion to table the item if it wishes.

4. **SITE PLAN REVIEW** – Proposed Crestwood Site Condominium (Revised Plan), 23 units proposed, North side of Wattles, East of Livernois, Section 15 – R-1C

Mr. Savidant presented a summary of the Planning Department report for the proposed Crestwood Site Condominium. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the preliminary site plan application subject to four conditions: (1) redesign the street layout to replace unit 12 with a direct vehicular connection onto Wattles Road; (2) dedicate the detention basin to the City of Troy and construct a 12-foot wide paved driveway for future maintenance; (3) provide a walkway to connect Wattles Road and the proposed street; and (4) clearly mark the “open space” on the site plan as “future convertible area” as required by the Condominium Act.

Mr. Kramer asked for clarification on the Planning Department’s recommendation to provide a public walkway.

Mr. Miller explained that should the proposed development be approved with no connection to Wattles Road, the Planning Department recommends that a pedestrian connection be provided, which could be combined with the access to the storm water retention basin.

Mr. Strat asked for confirmation that the Fire Department reviewed the proposed plan, noting the dead end road situation.

Mr. Savidant confirmed the plan was reviewed by the Fire Department and noted the Fire Department’s preference would be to have a cul de sac. The Fire Department gave approval of the plan because the plan is well designed to handle the turning radius and weight requirements of emergency vehicles, and it is understood that the road is temporary because the applicant has indicated his intention for future development.

Mr. Miller stated that the possibility of future development has posed a problem with respect to whether designations on the site plan are temporary or permanent.

Mr. Strat asked if some creativity, character or ambience could be used in the construction of the public walkway that is also to be used for access to the retention basin.

Mr. Miller agreed and encouraged Mr. Strat to ask the petitioner how and if that could be accomplished.

Mr. Miller requested the Assistant City Attorney to address "convertible areas" within site condominium developments.

Mr. Motzny said the Condominium Act allows for a "convertible area" and provided the definition of "convertible area" as defined in the Condominium Act. Mr. Motzny read the specific requirements of a "convertible area" as stipulated in Section 31 of the Condominium Act.

There was a brief discussion on the location of the temporary construction access road. Mr. Miller said it is the suggestion of the Planning Department to locate the construction access road between units 8 and 9, and noted the petitioner has indicated the access would not be located in the wetlands area.

The petitioner, Mike Lamb of RWT Building LLC, 2065 Livernois, Troy, was present. Mr. Lamb thanked the Planning Department and others for their assistance in the long development process for this piece of property. Mr. Lamb addressed the construction road access. He indicated the existing road located on the highest point of the property would be used, and the open space would remain undisturbed.

Mr. Lamb agreed to provide a public walkway with access onto Wattles Road and an 8-foot wide sidewalk along Wattles Road, as recommended by the Planning Department. Mr. Lamb proposed an alternate plan to provide an asphalt pathway through the open space, if it is feasible.

Mr. Lamb said that the access to the retention basin for maintenance purposes would be provided as directed by the Engineering Department.

Mr. Lamb addressed the limited common area. Mr. Lamb said it was originally intended to provide the future access to Livernois as a compromise measure between the homeowners, the Planning Commission and the recommendations of the City. Should the City desire a connection to Wattles Road, there would be space available and language would be provided in the condominium documents to allow the City to provide the connection. Mr. Lamb stated that for potential future development, he would like the ability to continue the road to Livernois and provide

more lots. He stated that currently it is not financially feasible because of the retention pond and wetlands area. Mr. Lamb stated that the flood plain would remain as a natural area for the enjoyment of residents, now and in the future.

Mr. Kramer asked if the site plan as displayed on the tripod is the site plan for approval by the Commission, with the only modification being the slight movement of the 12-foot wide detention access.

Mr. Lamb responded in the affirmative. He indicated that his attorney would provide the "convertible area" language required to be clearly marked on the site plan.

Mr. Waller asked the petitioner if he intends to make the public walkway access along the north side of the retention pond coming out to Wattles Road a little further to the west.

Mr. Lamb responded in the affirmative. He indicated he would pursue the feasibility of providing an asphalt pathway around the perimeter of the retention pond and providing a picnic area.

Mr. Waller said he is in support of that concept because it would create a different shape to the natural area and would eliminate the proposed walkway from the western-most lot.

Mr. Kramer asked the petitioner to address water issues in relation to the finished grade of the property with the existing grade along the north property line.

Mr. Lamb confirmed there should be no drainage concerns because of the number of catch basins that are being provided.

Mr. Strat questioned if the petitioner has conducted any studies with respect to what might happen to existing trees if the water table is changed.

Mr. Lamb confirmed that he conferred with the City's Landscape Analyst in this respect.

Mr. Strat asked the petitioner if he realized that the probability of future development in the area as relates to the flood plain would not be good.

Mr. Lamb responded that he believes it would be a 50-50 proposition; that the flood plain could be easily diminished and the wetlands area is eligible for re-evaluation in two years.

Chairman Littman asked the petitioner why he decided to come back to the Planning Commission with a new site plan, noting that the previous plan submitted did not include a connection to Tallman and was approved by the City Council.

That plan included much discussion at both the Planning Commission and the City Council levels.

Mr. Lamb responded that he was not a part of the discussions for the original plan before the Planning Commission and the City Council. He said that although the thought behind the original approved plan was genuine, the financial considerations of the original plan after engineering review were tremendous. He cited a difference of \$200,000 between the original plan and the plan before the Commission tonight, and also noted that the revised site plan allows for the possibility of future development.

Mr. Wright said that in comparing the original approved plan with the plan before the Commission tonight, it appears the detention basin relocation is not a problem on either plan and that there is the same number of lots along Wattles Road.

Mr. Lamb said that two future lots, at a value of \$100,000 each, were eliminated. He confirmed that the lot count is the same.

Mr. Wright asked the petitioner if it is the \$200,000 improvements along Wattles Road that he would rather avoid making.

Mr. Lamb said they do not want to make the improvements along Wattles Road and that there are other issues with regard to the street layout.

Mr. Wright said he recalled the January meeting at which a lot of abutting residents were adamantly opposed to any additional traffic coming through their subdivision, and that was the primary reason for the Planning Commission to approve the original site plan with the connection to Wattles Road. He voiced concern with those same residents not having ample notice to voice their concerns at tonight's meeting.

Mr. Lamb said that there have been discussions with most of the residents over the past year, and noted that most of the residents have resigned themselves to the fact that there will be a development going in behind their homes. Mr. Lamb said it is poor planning to build a subdivision where parents must drive 1.5 miles to get to a school that is located one quarter of a mile away. He said that parties who buy houses on dead-end streets should realize that the property owner who owns the property at the dead-end street is entitled to have access to the public utilities and public streets. Mr. Lamb said that he believes the proposed development will provide a better community.

Chairman Littman opened the floor for public comment.

Bruce Bloomingdale of 4264 Tallman, Troy, was present. Mr. Bloomingdale stated he just received the notice on the proposed development in today's mail. In that approximate four-hour time span, Mr. Bloomingdale contacted 13 of his neighbors



who expressed that their positions on the proposed development have not changed. Mr. Bloomingdale recalled that several months ago, the Chambers was filled, both at the Planning Commission meeting and the City Council meeting, with neighbors who were present to voice their objections to the proposed development. He said it was unfortunate that the neighbors were not given enough notice tonight to make their presence. Mr. Bloomingdale assured the Commission that the affected neighbors are adamantly and vehemently opposed to the development connecting to Tallman.

Mr. Bloomingdale strongly urged the Commission to take the same position as it previously did and to make a recommendation of denial to the City Council on the basis of connecting the development to Tallman. Mr. Bloomingdale expressed concerns with the wetlands area, increase in traffic congestion, traffic cutting through the subdivision, and emergency vehicle accessibility. Mr. Bloomingdale stated that he is opposed to the developer's and the City's stands on interconnectivity. He said that the residents who live on Leetonia, Randall, Tallman and Longfellow will not support nor endorse connecting the proposed development to Tallman and are totally opposed to interconnectivity. Mr. Bloomingdale thinks that the original compromise to provide access on Wattles Road is the best development plan.

Mr. Storrs asked Mr. Bloomingdale if he would be in favor of the east-west road ending in a cul de sac if it did not connect to Wattles.

Mr. Bloomingdale said that would help, and noted that he has no problem with the development as long as it does not tie into Tallman.

Chairman Littman asked Mr. Bloomingdale if he objects to the connection to Tallman if there is no way to get out to Wattles.

Mr. Bloomingdale said he objects to the development tying into Tallman in any way, shape or form. He said that tying the development into Wattles is the logical and proper way to do it, and said he absolutely objects to connecting the development to both Tallman and Wattles.

The floor was closed.

Mr. Storrs said the Commission struggled a lot with the connection to Tallman and to Wattles. He noted the subdivision has a lot of long straight streets that could become a racetrack, and that was the reason why the Commission did not like the connection to Wattles. Mr. Storrs thinks the revised site plan is a better option if it ended in a cul de sac, or something that does not go out to Wattles. He said it does make the grand shortcut through that square mile.

Mr. Kramer said there are several sides of the argument. Mr. Kramer said he sympathizes with the neighbors' concern of the racetrack traffic, as he can attest

to it himself because he used to live in the area. Mr. Kramer noted it would not be favorable to make another curb cut on Wattles Road, which would add to the traffic backup that already exists, particularly during evening hours. Mr. Kramer feels that the future residents in the subdivision should have the same access to Leonard Elementary School and the open space, as the current subdivision residents. For those reasons, Mr. Kramer does not support a connection to Wattles. He believes the connection to Tallman would be the lesser of two evils.

Mr. Wright said that the Commission previously approved a perfectly good plan and he sees no reason to change it.

Mr. Waller said he supports Mr. Kramer's observations. With respect to tabling the matter, Mr. Waller suggested that the Commission make a recommendation to the City Council this evening to spare the concerned residents having to attend two meetings to voice their opinions.

Mr. Strat asked for the opinion of the Planning Department.

Mr. Miller said that City Management would hold steadfast for interconnectivity in the subdivision unless a clear cut-through is created. He noted the item was discussed at an administrative development committee meeting, and it is the opinion of the Transportation Engineer that the proposed development would not create a direct cut-through. Mr. Miller reported that the Planning Department would prefer a connection to Wattles Road, but if the Commission opts for no connection to Wattles Road, the Planning Department would like to ensure that a pedestrian connection to Wattles Road is provided. Mr. Miller said he likes the petitioner's suggestion for a pathway.

Mr. Strat asked if the Planning Department would support a cul de sac, in lieu of a dead-end street.

Mr. Miller said that the Planning Department would want a cul de sac should future development not go any further to the west.

**Resolution # PC-2003-12-064**

Moved by: Waller

Seconded by: Schultz

**RESOLVED**, that the Planning Commission recommends to City Council that the Preliminary Site Plan as requested for Crestwood Site Condominium, including 23 units, located north of Wattles Road and east of Livernois Road, Section 15, within the R-1C zoning district be granted, subject to the following conditions:

1. Detention basin shall be dedicated to the City of Troy for future maintenance.  
A 12-foot wide paved driveway shall be constructed on this property for the

purpose of detention pond maintenance from Wattles Road, to be located along side Wattles Road at the restrictor end of the detention pond.

2. A walkway connection shall be provided to connect Wattles Road and the proposed street, extending along side the north side of the detention pond to the west end of the detention pond as proposed by the applicant.
3. The “open space” shown on the site plan shall be clearly marked as “Limited Common Area – Open Space – Future Site Condominium Development “ on all drawings and also all appropriate condominium documents shall reference this same future use.
4. The construction or access road as shown on the drawing shall be removed and the existing crushed gravel driveway further to the east would be the access road as indicated by the applicant.
5. That a temporary cul de sac be constructed at the west end of the street with the understanding that it would be removed if at any time in the future the lot development was extended to the west.

Discussion on the motion on the floor.

Mr. Miller suggested that condition #3 reference the “Limited Common Area” as “Convertible Area”.

Mr. Motzny was in agreement because “Convertible Area” is the term used in the Condominium Act.

Mr. Waller moved to amend the motion to reflect the appropriate language as recommended by the City legal representative. Mr. Schultz seconded the motion as amended.

Mr. Schultz requested to include in the motion that it is the Commission’s recommendation if the area to the west of the proposed temporary cul de sac is developed in the future, that there shall be no interconnection to Wattles Road from that development.

Mr. Waller agreed to amend the motion as such.

Chairman Littman noted that the petitioner indicated he is not 100% sure that he can place the walkway around the detention basis as indicated in the motion. He asked Mr. Waller if he would like to provide in the motion some flexibility in providing the walkway.

Mr. Waller responded in the negative. Mr. Waller requested that should the petitioner not be able to provide the walkway around the detention basis, that the

matter come back to the Planning Commission with a written explanation from City Management or staff as to the reasons why it cannot be provided.

Mr. Storrs noted the motion, as amended, does not say the cul de sac has to remain where it is. If the lots would be developed in the future, the cul de sac could shift west as long as the connection does not go down to Wattles Road. Mr. Storrs is in favor of this addition to the motion.

Mr. Schultz requested that the motion reflect that the site plan shall come back for review by the Planning Commission should there be any substantial change to the site plan.

Mr. Waller agreed to amend the motion as such.

**Resolution # PC-2003-12-064 (as amended)**

Moved by: Waller

Seconded by: Schultz

**RESOLVED**, that the Planning Commission recommends to City Council that the Preliminary Site Plan as requested for Crestwood Site Condominium, including 23 units, located north of Wattles Road and east of Livernois Road, Section 15, within the R-1C zoning district be granted, subject to the following conditions:

1. Detention basin shall be dedicated to the City of Troy for future maintenance. A 12-foot wide paved driveway shall be constructed on this property for the purpose of detention pond maintenance from Wattles Road, to be located along side Wattles Road at the restrictor end of the detention pond.
2. A walkway connection shall be provided to connect Wattles Road and the proposed street, extending along side the north side of the detention pond to the west end of the detention pond as proposed by the applicant; and further, should the applicant not be able to provide the walkway as proposed, a written explanation from City Management or staff as to the reasons why it cannot be provided shall be provided to the Planning Commission.
3. The "open space" shown on the site plan shall be clearly marked as "Convertible Area " on all drawings and also all appropriate condominium documents shall reference this same future use.
4. The construction or access road as shown on the drawing shall be removed and the existing crushed gravel driveway further to the east would be the access road as indicated by the applicant.
5. That a temporary cul de sac be constructed at the west end of the street with the understanding that it would be removed if at any time in the future the lot development was extended to the west.

6. That if the area to the west of the proposed temporary cul de sac is developed in the future, there shall be no interconnection to Wattles Road from that development.
7. That should there be any substantial change to the site plan, the site plan shall come back before the Planning Commission for review and approval.

Vote on the motion as amended.

Yes: Kramer, Schultz, Storrs, Strat, Vleck, Waller  
No: Littman, Wright  
Absent: Chamberlain

### **MOTION CARRIED**

Mr. Wright said the City had a perfectly good plan in place, and he has not heard satisfactory justification in changing the plan. He noted the prime discussion at earlier meetings was the length of the straight street runs that would create an easy cut-through in the subdivision.

Chairman Littman voted against the site plan for the same reasons. He noted the Commission listened to the residents' concerns, and the Commission and the elected officials on the City Council thought the original plan was a great plan. He thinks the original plan should be kept in place.

January 19, 2004

Matt Pryor, Mayor  
Troy City Hall  
500 W. Big Beaver Road  
Troy Michigan 48084

Ref: Revised Preliminary Plan for a proposed site condominium known as Crestwood Site Condominium, to be presented to the City Council on January 26, 2004.

Dear Mayor Pryor:

This petition, opposing approval of the revised site plan referenced above, has been delivered to your mailbox for your review. This petition represents 94% (114 of 121) of the homes along Leetonia, Tallman and Longfellow. Also included is a spreadsheet that provides names, addresses and telephone numbers for most of the people who signed the petition. We are working to complete this spreadsheet for future use. Any additional information we obtain will be made available to you.

Each signer on this petition strongly urges you to vote against this revision or any other attempt to tie this proposed development's road into Tallman.

Please feel free to contact me at (248) 689-8528 for any further information you think I could provide.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Bloomingdale".

Bruce Bloomingdale  
4264 Tallman  
Troy MI 48085-4823  
(248) 689-8528

As a resident of Troy's Section 15, I am concerned about the speed and volume of vehicular traffic on Leetonia, Tallman, Randall and Longfellow.

I am opposed to any decision that would add any further traffic to an already serious traffic problem.

Specifically, I request that you, as a Troy City Council Member vote against any plan to tie the proposed Crestwood Site Condominiums into Tallman.

Your "NO" vote will be consistent with the City Council's past decision on this issue made on August 19, 2002 and will help retard the growing traffic volume on these streets which are in many instances used to cut through our neighborhood from Livernois to Rochester Road.

DATE	SIGNATURE	ADDRESS
12/14/03	Harvey Dorsey	513 Longfellow Dr. Troy
12/14/03	TERRENCE COTTON	527 Longfellow Dr. Troy
12/14/03	William W. W.	528 LONGFELLOW DR. Troy
12/14/03	Edith Sheppard	574 Longfellow Dr. Troy
12/14/03	Christy Miki	541 Longfellow Dr. Troy
12/14/03	John Z	555 Longfellow Troy
12/14/03	C. Shanks	556 Longfellow Troy
12/14/03	Jessie M. M.	542 Longfellow Troy
12/14/03	Sam McGraw	569 Longfellow Troy
12/14/03	Longfellow	583 Longfellow Troy
12/15/03	Ed. Sullivan	584 Longfellow Dr. Troy
12/14/03	Beth Ann Schlichter	626 Longfellow Troy
12/14/03	John F.	639 Longfellow
12/14/03	John A. Bach	640 Longfellow
12/14/03	John S.	654 LONGFELLOW
12/17/03	John S.	956 Longfellow Troy
12/17/03	Karen Anderson	938 Longfellow Dr. Troy
12/17/03	Tracey T.	920 Longfellow Troy M.D. 4808
12/17/03	Jeannette Packard	907 Longfellow Troy

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DATE	SIGNATURE	ADDRESS
12-17-03	Debbie Mordean	866 Longfellow
12-17-03	Lee F.	812 Longfellow
12-17-03	Alberta J. J. J.	845 Longfellow
12-17-03	Uena O'Don	827 Longfellow
12-17-03	Tom TABAKA	809 Longfellow
12-17-03	Joseph B. Ave	780 Longfellow
12-17-03	John S.	791 Longfellow
12-17-03	W. M.	777 Longfellow
12-17-03	Carrie Alamos	763 Longfellow
12-17-03	Kyle Kaskawa	738 Longfellow Dr.
12-17-03	Laith Clay	735 Longfellow Dr.
12-17-03	Roberta Langham	721 Longfellow
12-17-03	Wilbur Harris	707 LONGFELLOW DR.
12-18-03	Nina Nowell	598 Longfellow Dr.
12-18-03	Joseph W. W.	597 LONGFELLOW DR.
12-18-03	David E. E.	4438 Yanick
12/18/03	Charles M. W.	399 Thurber
12/18/03	Theodore N. Diamond	848 LONGFELLOW
12/18/03	Julie Ellis	746 Longfellow



Your "NO" vote will be consistent with the City Council's past decision on this issue made on August 19, 2002 and will help retard the growing traffic volume on these streets which are in many instances used to cut through our neighborhood from Livernois to Rochester Road.

[illegible]

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[illegible]

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DATE	SIGNATURE	ADDRESS
12-11-03	Gytha R. Carter	4250 Tallman, Troy
12-11-03	Connie S. Irby	4278 Tallman, Troy
12-11-03	Marlene Rose de Mambro	4292 Tallman, Troy
12-11-03	Madelon Owen	4326 Tallman, Troy
12-11-03	R. A. Sherman	4408 Tallman, Troy
12-11-03	Cheryl Gu	4422 Tallman Drive
12-11-03	Steve Gu	4438 Tallman Drive
12-11-03	Roy Zach	4464 Tallman Dr.
12/11/03	Bruce Bloomingdale	4264 Tallman
12/14/03	Pat E. Amaro	4321 TALLMAN
12/14-03	SESI SESI	4478 TALLMAN
12-14-03	D. TIMBAIN	4455 Tallman
12/15/03	[Signature]	4334 Tallman
12/15/03	Carol G. Kish	4450 Tallman
12/15/03	Lathia N. Toft	4492 Tallman
12/16.03	Donna L. Lee	4307 Tallman
12/16/03	Cheryl	4236 TALLMAN
12-18-03	Ben	4306 Tallman

I am opposed to any decision that would add any further traffic to an already serious traffic problem.

Your "NO" vote will be consistent with the City Council's past decision on this issue made on August 19, 2002 and will help retard the growing traffic volume on these streets which are in many instances used to cut through our neighborhood from Livernois to Rochester Road.

[illegible]

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DATE	SIGNATURE	ADDRESS
12/17/03	Nancy Moseley	65 Leetonia Hwy MI 48085
12/17/03	Ann Marie Piotrowski	55 Leetonia Trl, MI 48083
12/17/03	Richard C. Coen	118 Leetonia
12/17/03	James H. Wray	491 Leetonia Dr Troy MI 48085
12/17/03	Theresa D. Davis	459 LEETONIA
12/17/03	Debra M. Jones	424 LEETONIA, TROY MI 48085
12/16/03	[Signature]	298 Leetonia
12/16/03	J. Thomas	151 Leetonia
12/16/03	L. Keller	141 LEETONIA
12/16/03	Rod VanHorn	137 Leetonia
12/16/03	MR. Thompson	95 Leetonia
12/16/03	Marcella Piotrowski	85 Leetonia
12/16/03	Walter Myers	58 Leetonia
12/16/03	Gay H. Perren	100 Leetonia
12-16-03	Ann P. Dougherty	140 Leetonia
12-16-03	Lucy H. Hefner	144 Leetonia
12/16/03	Terrell Youngman	148 LEETONIA
12/16/03	Alane G. Allen	336 Leetonia
12/16/03	Ron J. [Signature]	399 Leetonia

As a resident of Troy's Section 15, I am concerned about the speed and volume of vehicular traffic on Leetonia, Tallman, Randall and Longfellow.

I am opposed to any decision that would add any further traffic to an already serious traffic problem.

Specifically, I request that you, as a Troy City Council Member vote against any plan to tie the proposed Crestwood Site Condominiums into Tallman.

Your "NO" vote will be consistent with the City Council's past decision on this issue made on August 19, 2002 and will help retard the growing traffic volume on these streets which are in many instances used to cut through our neighborhood from Livernois to Rochester Road.

DATE	SIGNATURE	ADDRESS
12-11-03	Patricia Smolenski	506 Leetonia
12-11-03	William Pluron	488 Leetonia
12-11-03	D. Lee Jones	472 LEETONIA
12-11-03	Tony Alvarado	458 LEETONIA
12-11-03	Raul Garcia	392 LEETONIA
12-11-03	Mary Jo White	378 Leetonia
12/15/03	Kent	423 Leetonia St.
12/15/03	Richard Szefer	411 LEETONIA
12/15/03	Mike Hyder	375 Leetonia
12/15/03	Greg Robinson	351 LEETONIA
12/15/03	Susan M. Maxwell	339 Leetonia
12/15/03	John R.	249 Leetonia
12/15/03	Nell Stadelbone	207 Leetonia
12/15/03	Wilma Berry	191 Leetonia Ave.
12/15/03	Margaret Richards	179 Leetonia
12-13-03	John White	170 LEETONIA
12-15-03	Marvin Hays	188 LEETONIA
12-15-03	Susan X. Law	204 Leetonia

Your "NO" vote will be consistent with the City Council's past decision on this issue made on August 19, 2002 and will help retard the growing traffic volume on these streets which are in many instances used to cut through our neighborhood from Livernois to Rochester Road.

[illegible]

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
513 Longfellow	Harvey	Dorsey	2486894371		
514 Longfellow	Rob	Schoenfeldt	2486899396		
527 Longfellow	Terrence	Cotton	2486190230		
528 Longfellow	Bill	Murray	2486895230		
541 Longfellow	Christina	Miki	2485283767		
542 Longfellow	Lisa	Marrocco			
555 Longfellow	Steve	Howard	2486911743		
556 Longfellow	Robert	Stakits	2485260388		
569 Longfellow	Dan	McCarthy			
570 Longfellow	Donna	Bielecki	2486894366		
583 Longfellow					
584 Longfellow					



<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
597 Longfellow	Joseph	Wrobel	2482020648		
598 Longfellow	Nina	Nowell	2487403685		
611 Longfellow	Frandis (Al)	Hayes(Gordon)	2485282115		
612 Longfellow	Ram	Mehta	2486898397		
625 Longfellow	Wilber	Stevens	2486896935		
626 Longfellow	Jill(Arthur)	Bachle(Schlachter)	2485280324		
639 Longfellow	Larry	Kaye	2486808812		
640 Longfellow	Steve	Bachle	2487409312		
654 Longfellow	Bill & Gina	Siplia	2485283225		
682 Longfellow	Jim	Charbineau	2485281693		
696 Longfellow					
707 Longfellow	Bill	Thorsen			

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
710 Longfellow	Robin	Nichols	2485269506		
721 Longfellow	Roberta	Langham	2486899067		
724 Longfellow	Chris	Smith			
735 Longfellow	Faith	Clay	2486899067		
738 Longfellow	Kozae	Kpseulewra	2485244703		
749 Longfellow	Walt & Cheryl	Pius	2487408558		
752 Longfellow	Victor	Eicher	2486895752		
763 Longfellow	Mike & Connie	Alonso	2485281508		
766 Longfellow	Glen & Julie	Ellis	2485244925		
777 Longfellow	Valere	Michrina	2486894173		
780 Longfellow	Joel & Valerie	Avore	2485283692		
791 Longfellow	Ken	Lin	2486808918		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
794 Longfellow	Jack	Weber	2486893620		
809 Longfellow	Karin	Tabaka	2486892998		
812 Longfellow	Paul	Salinas	2487432959		
827 Longfellow	Vera	Dorr	2486800742		
830 Longfellow					
845 Longfellow	Alberta	Leperbrink	2486891824		
848 Longfellow	Theodore	Diamond	2485283672		
863 Longfellow	John	Lafferty	2485283555		
866 Longfellow	Debbie	Mozdzen	2485281449		
884 Longfellow	Gordon	Longstaffe	2487409304		
902 Longfellow	Ron & Jeanette	PacKard	2486893086		
920 Longfellow	Larry	Mitchum	2485249391		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
938 Longfellow	Karen	Anderson	2485281847		
956 Longfellow	Jerry	Cooper	2486801949		
974 Longfellow	Waleeh	Hadad	2484571287		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
899 Thurber	Charlene	Napiewocki	2485269918		
754 Thurber	Gregory	Richards	2486891230		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
4235 Tallman	Vernie	Willhite	2486896985		
4236 Tallman	Vince	Bovey	2485281632		
4250 Tallman	Don & Cindy	Carbone	2485280376		
4264 Tallman	Bruce & Marie	Bloomingtondale	2485288528		
4278 Tallman	Connie	Irby	2485241196		
4292 Tallman	Tom & Darlene	DiMambro	2486191464		
4306 Tallman	Kelly	Bahnam	2486891115		
4307 Tallman	Lezos	Hazaffambos	2487432459		
4321 Tallman	Peter	Asmaro	2485241804		
4326 Tallman	Madilan	Owen	2486892368		
4334 Tallman	V	Roszka	2486801478		
4408 Tallman	Robert	Sherman	2485281364		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
4422 Tallman	Chengzhe	Gu	2486897807		
4438 Tallman	Poh Long	Chin	2486890530		
4450 Tallman	Carol	Kulish	2486899607		
4455 Tallman	Demetrid	Timban	2485249166		
4464 Tallman	Roy & Bonnie	Zook	2486891363		
4478 Tallman	Sesl	Febromia	2486891866		
4492 Tallman	Kevin & Kathy	Tosolt	2485260122		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
501 Evaline	Raminder	Kaur	2485283673		
504 Evaline	Carol	Kennedy	2487432969		



<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
502 Randall	Richard & Leila	Short	2486809892		
503 Randall	Christine	Dippel	2485280945		
518 Randall	Tom	PurKiss	2486897311		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
45 Leetonia	T.P.	Sing	2487408071		
55 Leetonia	Ann	Perkowski	2485269971		
58 Leetonia	Walter	Myers	2486893325		
65 Leetonia	Nancy	Mosey	2486891749		
84 Leetonia	Barbara	Schofield	2486892965		
85 Leetonia	Ed & Marcy	Piotrowski	2484571858		
95 Leetonia	Mike	Giangronde	2486894908		
100 Leetonia	Gary	Cooperman	2486800438		
105 Leetonia	Mike & Cyndi	Valentino	2486190148		
118 Leetonia	Richard	Ostrowski	2486891322		
137 Leetonia	Pat	VanHemm	2485280047		
140 Leetonia	Amy	Dougherty	2485282029		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
141 Leetonia	Steve	Baldwin	2487409516		
144 Leetonia	Kathy	Niedzwiecki	2485241531		
148 Leetonia	Terrill	Youngman	2485283624		
151 Leetonia	Lisa	Thomas	2487434233		
152 Leetonia	Paul	Stiff	2486800749		
170 Leetonia	Richard & Rose	Welby	2485282962		
175 Leetonia					
188 Leetonia	Kam & Mediha	Hage	2486199444		
191 Leetonia	Wilma	Berry	2486896546		
204 Leetonia	James	Law	2486899826		
207 Leetonia	Neil	Stadelboner			
249 Leetonia	Paul & Jeff	Baird	2485280491		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
298 Leetonia	B.J.	Lackey	2486190438		
336 Leetonia	Alane	Valenti	2486891156		
339 Leetonia	Vernon	Molnar	2486892213		
351 Leetonia	Grzegorz	Robaczyski	2484570782		
375 Leetonia	Mohamod	Hyder	2487407083		
378 Leetonia	Dale	Ballard	2486892213		
392 Leetonia	Dave & Julie	Lafave	2487408972		
399 Leetonia	Robert	Fisher	2486800376		
411 Leetonia	Richard	Szefer	2485283291		
424 Leetonia	Debbie	Grooms	2486800125		
458 Leetonia	Tony & Gail	Allevato	2486801908		
459 Leetonia	Gary	Dowen	2486892343		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
472 Leetonia	Paul & Vickie	Lucas	2486892052		
488 Leetonia	Bill	Johnson	2486890486		
491 Leetonia	James	Wong	2485281742		
505 Leetonia	Mike & Maryann	Rousseau	2485241778		
506 Leetonia	Marv & Pat	Smolinski	2486898594		

<u>Address</u>	<u>First Name</u>	<u>Second Name</u>	<u>Phone Number</u>	<u>Email</u>	<u>Comments</u>
4104 Livernois	Keith Jr.	Howard	2485241863		



**TO:** Mayor and Members of Troy City Council  
**FROM:** John Szerlag, City Manager  
 John M. Lamerato, Assistant City Manager/ Finance & Administration  
 Tonni L. Bartholomew, City Clerk  
 Lori Grigg Bluhm, City Attorney  
**DATE:** January 22, 2004  
**SUBJECT:** Charter Revision Ballot Proposals

At the Special City Council meeting of January 20, 2004, City Council passed a resolution, approving placement of Charter amendment proposals on the April ballot. One of the approved ballot questions concerned a possible amendment to 7.5.5 of the Charter. The ballot question asks whether the Charter should be amended to define a term as two years and 30 days, and was initially proposed in connection with the State Election Consolidation Laws.

Since it was not specifically addressed at the Special meeting, it is unclear whether City Council wishes to include this question on the ballot or wait until the November 2005 election to address this issue. As a result, the ballot question has not been included in the proposed voter educational brochure. If City Council desires to include this question on the ballot, the following language could be inserted in the proposed voter educational brochure that will be discussed as the second portion of this Agenda item:

#### **Charter Amendment Proposal 04-6**

#### **A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 7.5.5 – TERM LIMITS – TO PROVIDE FOR A PARTIAL TERM TO FACILITATE IMPLEMENTATION OF THE NEW STATE ELECTION CONSOLIDATION LAWS**

Shall Section 7.5.5 of the Troy Charter, which discusses term limits, be amended to delete “Any portion of a term served shall constitute one full term” and insert “Any service greater than two years plus one month constitutes a term”?

Should this amendment be approved?

YES \_\_\_ NO \_\_\_

**YES** Those that support a YES vote believe that Troy City Council members should not have a term that is less than two years and one month be applied towards term limitations. One partial term may be required to implement the new State Election Consolidation Laws that go into effect in 2005.

**NO** Those that support a NO vote believe that any length of time served as a Troy City Council member should count as a full-term. One partial term may be required to implement the new State Election Consolidation Laws that go into effect in 2005.

On the other hand, City Council also has the option of moving the removal of the question from the ballot via the following resolution:

RESOLVED, That Ballot Charter Amendment question pertaining to Section 7.5.5 be removed from the April 5, 2004 City General Election.

January 21, 2004

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager

SUBJECT: Content Neutral Informational Brochures for Ballot Issues

I previously tasked staff members copied below to address all concerns that are brought to our attention relative to the ballot issues that will be placed before the voters this April. Specifically, I'm referring to all proposed Charter amendments, as well as the authority to convey property for conference/hotel facilities. In addition, staff was asked to address other issues that are germane to educating the public in this regard so the voters may make an informed decision.

Staff worked with the City Attorney's Office in developing these issues and also to ensure content neutrality. So too, bond counsel had input in this process.

The results of this endeavor are attached, and I wish to especially thank team leaders Tonni Bartholomew and Doug Smith for taking the brunt of the write and re-write efforts; also to Lori Bluhm for working with staff and assuring content neutrality.

If you have a zone of comfort with this work product, the next step in the process is to have Cindy Stewart develop two separate brochures via one mass mailing to all residential units. The estimated cost for developing these brochures is \$9,500 (including postage) and our target date for mailing is February 20, 2004. Funds are available for this expenditure in the Community Affairs Department's accounts for printing and mailing.

As always, please feel free to call should you have any questions.

JS/mr\AGENDA ITEMS\2004\02.02.04 – Brochures

c: Carol Anderson, Parks and Recreation Director  
Tonni Bartholomew, City Clerk  
Lori Bluhm, City Attorney  
Laura Fitzpatrick, Assistant to the City Manager  
John M. Lamerato, Assistant City Manager/Finance & Administration  
Nino Licari, City Assessor  
Gary A. Shripka, Assistant City Manager/Services  
Doug Smith, Real Estate & Development Director  
Cindy Stewart, Community Affairs Director



January 20, 2004

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration  
Doug Smith, Real Estate & Development Director  
Cindy Stewart, Community Affairs Director

SUBJECT: Printing & Mailing the April 2004 Ballot Proposal Brochures

Based on quotes received from local printers, we recommend two brochures (8 ½ x 14 folded in half and nested together and sealed. This eliminates the need for mailing envelopes. Estimated cost for 37,000 of both brochures is \$5,000. They will be mailed to all households with the remaining brochures available at City Hall, Library, Community Center, and any other appropriate sites. Bulk rate mailing cost is approximately \$4,500. Estimated timeline: If resolution is approved by City Council on January 26, the brochures can be designed, printed and delivered to residents by February 20.

**CITY OF TROY, OAKLAND COUNTY, MICHIGAN  
CIVIC CENTER BALLOT PROPOSAL  
CITY GENERAL ELECTION – APRIL 5, 2004**

**Proposal 04-**

**A PROPOSAL TO CONVEY SEVEN ACRES OF CIVIC CENTER PROPERTY FOR THE  
DEVELOPMENT OF CONFERENCE/HOTEL FACILITIES**

Shall the City of Troy, Michigan be authorized to convey seven acres of the Troy Civic Center site for the development of conference/hotel facilities?

Should this proposal be approved?

YES \_\_\_\_ NO \_\_\_\_

- 
- The ballot language says, “convey.” Why does it not say “sell or lease”?  
*The term “convey” is more encompassing than “sale or lease”, and provides flexibility with potential financing arrangements, which could include sales, partial ownership, or partial lease rights, or leasing arrangements that grant rights similar to ownership.*

**LAND USE:**

- Where are the seven acres in question?  
*The attached map depicts the land.*
- What are the long-term City goals for this area?  
*As discussed by City Council, the Civic Center site development should provide an attractive gathering place with landscaped and open space, outdoor amphitheatre, water amenities, ice rink, band shelter, benches, etc. that draw citizens, visitors and families to enjoy a vibrant outdoor setting year around and can accommodate city- wide events.*  
  
*Troy voters are now being asked if the Civic Center site is to be complemented with conference center and hotel facilities on the southeast quadrant of the site.*
- What is the difference between the requested seven acres and the eleven acres that has been referenced in project discussions? What relationship does the four-acre “Ford & Earl” parcel have to the project?  
*The ballot proposal requests a conveyance of seven acres of land. The City of Troy Employee Retirement Board owns a contiguous parcel of four acres, previously owned by Ford & Earl, which may be included as part of the final development. However, the Employee Retirement Board, a separate legal entity, would need to approve any such sale or lease.*
- Why has the Civic Center site been chosen for this proposed development, when there are other sites in Troy that are large enough to support this type of development?

*A successful conference center requires a public/private partnership. The public land on this site allows the City to use the land or proceeds thereof to participate in the partnership.*

- What is the current concept for the conference center?  
*The intent is to develop a conference center that can accommodate up to 2,000 people in a single assembly hall that can be broken down into several breakout rooms.*
- What is the current concept for the hotel?  
*The expectation is that it will be a full-service hotel.*

### **FINANCIAL REQUIREMENTS:**

- Will the land be conveyed for fair market value, who will determine the fair market value of the site and what is that value today?  
*Michigan law requires that the conveyance of municipal property be for adequate consideration, which is generally regarded as fair market value. An independent appraiser will determine the fair market value and this value will be used as the minimum threshold for conveyance. Without a formal appraisal, any estimate is highly speculative.*
- Where will the proceeds go from the sale of the land?  
*It is anticipated that some or all of the land sale proceeds will be necessary to satisfy the City of Troy's obligations in a public/private partnership by providing capital funding for the development of the conference center and parking deck.*
- Who will pay for the development of the hotel/conference center?  
*Project financing will be determined after proposals are received. However, it is likely that there will be a public/private partnership, where the City of Troy may be expected to make a contribution. It is expected that the hotel and conference center would be managed by the private sector. A substantial majority of the required financing will be provided by and be the responsibility of the private sector.*
- Does the City have protection from long-term financial liability for this project?  
*City Council has studied different legal arrangements that will protect the City from long-term financial liability. The City anticipates utilizing a financial structure that has been used by other cities and is designed to protect the City from any financial obligation for the cost of the building and equipping the hotel and conference center. City Council has directed that no City taxes will be committed to the project. It is possible that taxes generated by the project and captured by the Downtown Development Authority may be used to pay the project costs that benefit the public at large.*
- What assurances can be given that the revenues from the hotel/conference center will be sufficient to pay operating costs and bond obligations so Troy tax payers do not have to cover shortfalls?  
*City Council anticipates that the project will be financed by a non-profit corporation, which will bear the financing risk of the project without any liability to the City for the financing or operation of the hotel/conference center. Proposals will be evaluated on their ability to adequately cover all operating costs and bond obligations. If the hotel/conference center is*

*constructed and fails, depending upon the financing options and agreements the site could be converted to other uses.*

- What is a Section 63-20 plan option to finance the project?  
*Section 63-20 is an IRS ruling that permits a type of financing available for public/private projects. This financing arrangement would require a conveyance of the property to the City after all bonds have been paid off, and the City can then utilize the property for City purposes or sell it. Several proposed funding mechanisms will be considered in the evaluation process, including but not limited to Section 63-20.*
- Will the property taxes generated by the development be deposited into the City General Fund or the Downtown Development Authority (DDA)?  
*The property is located in the DDA; tax revenues generated by the project will go to the DDA to be targeted for infrastructure and public facilities on the Civic Center.*
- Will tax abatements be given to the new owner of the site to lower the cost of development?  
*No. The City has no tax abatement policy available for commercial enterprises.*
- With the State budget deficit a major concern, would we expect to receive money from the State to pay for part of the development? Is this a good time to be planning a development like this due to the current economic conditions?  
*Based on the anticipated regional economic impact, the State has indicated a strong interest in this project. The Legislature would have to allocate approximately \$40 million in 2006 or 2007 to make the project viable.*

#### **TRAFFIC AND PARKING CONCERNS:**

- Given that the potential development might generate 300 to 1000 car trips per day, are there traffic studies that show the impact of traffic on area roads?  
*Two separate traffic studies have shown that any additional traffic generated by the currently proposed conference center and hotel can be managed effectively with the existing local traffic volumes.*
- How will the traffic and parking within the proposed development impact other uses in the Civic Center Complex, such as the Community Center and Library?  
*Development proposals will incorporate adequate traffic flows and parking arrangements for the entire Civic Center.*

#### **ECONOMIC DEVELOPMENT IMPACTS:**

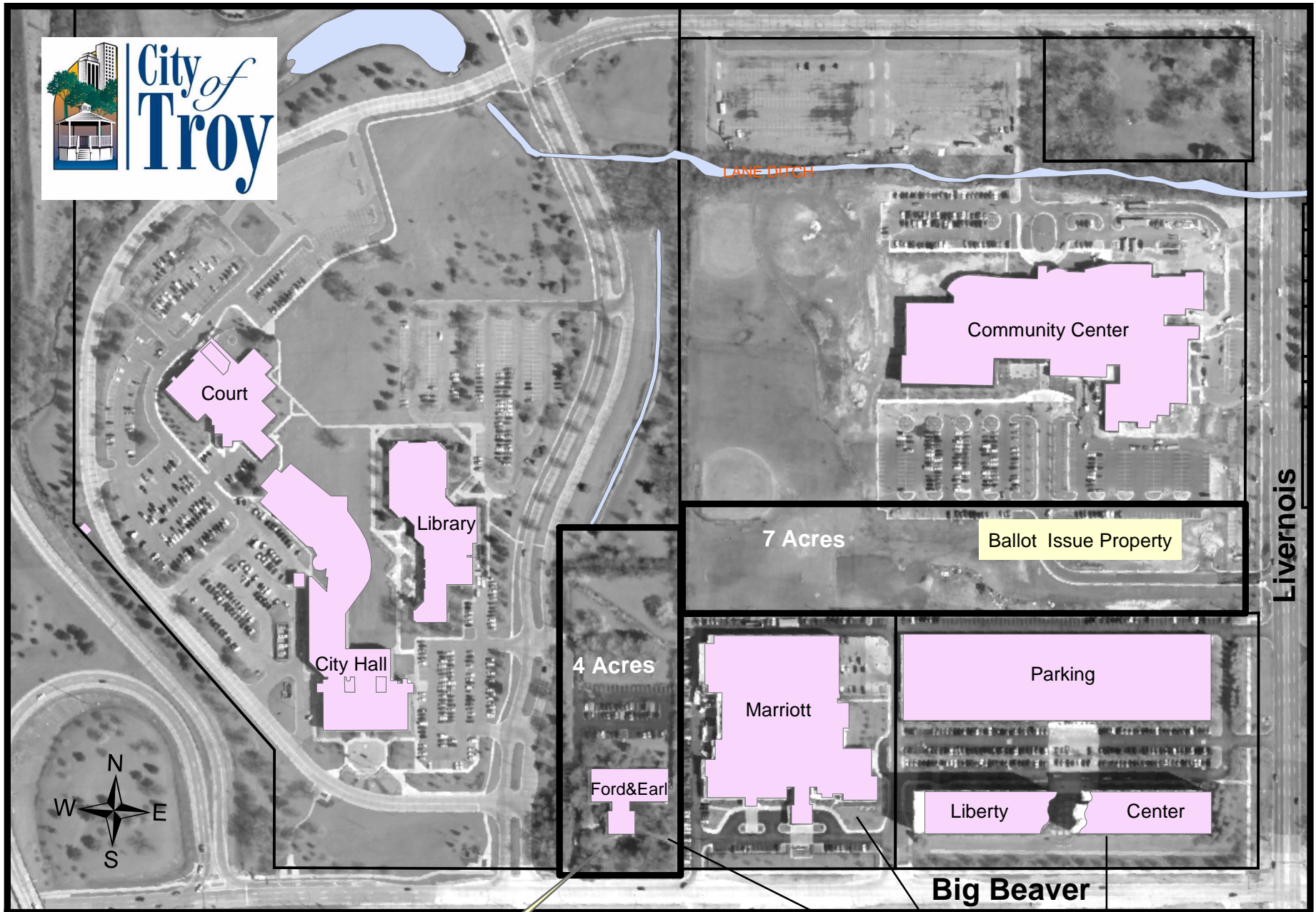
- Is a conference center needed in Troy?  
*Two major studies have documented a market justification for the need in southeast Michigan for more conference/convention facilities and identified Troy as an ideal location. The studies also indicate that area businesses and industry would benefit from a conference center that accommodates a variety of meetings and events.*
- Will the conference center take business away from the Community Center or other existing facilities in Troy?

*All development proposals for conference center and hotel facilities will focus on the ability to increase the total number of visitors to the Troy area and increase business for local hotels, restaurants, shopping and public venues.*

- What kind of conferences will utilize the facility? Will they be community oriented like home remodeling shows, or will they strictly be business oriented in order to fill the hotel? *The intent of the development proposal is to have a conference center targeted at annual meetings of professional and trade groups and regional meetings for national groups.*

(revised 1-20-04)

# CIVIC CENTER SITE



Owned By Troy Retirement Board

**CITY OF TROY  
OAKLAND COUNTY MICHIGAN**

Zoned - 0SC (High Rise Office)

All Other Parcels Zoned  
Community Facilities

The information provided by this program has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not legally recorded map or survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

1 inch equals 300 feet

**CITY OF TROY, OAKLAND COUNTY, MICHIGAN  
CHARTER REVISION PROPOSALS  
CITY GENERAL ELECTION – APRIL 5, 2004**

**Charter Amendment Proposal 04-1**

**A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 7.9 – NOMINATIONS – TO CHANGE THE FILING DATE OF NOMINATION PETITIONS FOR CANDIDATES FOR REGULAR CITY ELECTION**

Shall Section 7.9 of the Troy Charter, which requires “nomination petitions for candidates for regular city elections to be filed with the Clerk on or before 4 o’clock pm of the twenty-eighth (28) day preceding the third Monday of February of each year”, be replaced with “nomination petitions for candidates for regular City elections are to be filed with the Clerk on or before 4 o’clock pm of the one hundredth (100th) day preceding the City election for each election year”?

Should this amendment be approved?

YES \_\_\_ NO \_\_\_

<b>YES</b>	Those that support a YES vote believe that Troy’s City Council Members nomination petition filing deadline should be changed to 100 days prior to the City General Election Day. This would avoid the potential for an approximate ten-month delay between the nominating petition filing deadline and an election held in November.	<b>NO</b>	Those that support a NO vote believe that Troy’s City Council Members nomination petition filing deadline should remain at a date tied to an April City General Election date. The recently enacted State Election Consolidation Laws have eliminated an April City Election Date. In the case of a November election, the filing deadline would be approximately 10 months prior to election day.
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**INITIATORY AND REFERENDARY PETITIONS**

Under Troy’s Charter, citizens can suggest new ordinances or revisions to ordinances through the Initiatory process, which are then placed on the ballot. Similarly, the Referendary Process allows citizens to place a propose rescission of an approved ordinance or other City Council action on the ballot. Both of these procedures require the interested citizens to solicit signatures from registered Troy voters on petition forms.

The Troy City Charter currently requires that petitions must be signed by no less than 10% of the Troy Registered Voters and the signatures on the petition must be obtained within 21 days to place the question on a ballot. As of January 5, 2004 there were 54,059 registered electors.

**Charter Amendment Proposal 04-2**

**A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 5.11 – INITIATORY AND REFERENDARY PETITIONS – TO REDUCE THE NUMBER OF SIGNATURES REQUIRED ON INITIATORY OR REFERENDARY PETITIONS**

Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to reduce the number of signatures from “at least ten percent of the registered electors of the City”, to “at least 2,000 signatures of the registered electors of the City”?



Should this amendment be approved?

YES \_\_\_ NO \_\_\_

<b>YES</b> Those that support a YES vote believe that the signatures required to place Troy initiatory or referendary questions on a ballot should be reduced from 10% of the registered electors to a new number of 2,000 signatures.	<b>NO</b> Those that support a NO vote believe that the signatures required to place Troy initiatory or referendary questions on a ballot should remain at 10% of the registered electors.
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### **Charter Amendment Proposal 04-3**

#### **A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 5.11 – INITIATORY AND REFERENDARY PETITIONS – TO INCREASE THE NUMBER OF DAYS TO GATHER SIGNATURES ON INITIATORY OR REFERENDARY PETITIONS**

Shall Section 5.11 of the Troy Charter, which sets forth the requirements for citizens to effectuate changes to the City of Troy ordinances through an initiatory or referendary process, be amended to increase the time period to gather signatures from “twenty-one” days prior to the filing of the petition to “ninety days prior to the filing of the petition”?

Should this amendment be approved?

YES \_\_\_ NO \_\_\_

<b>YES</b> Those that support a YES vote believe that the time period to gather signatures on Troy initiatory or referendary petitions to place questions on the ballot should be increased from 21 days to 90 days.	<b>NO</b> Those that support a NO vote believe that the time period to gather signatures on Troy initiatory or referendary petitions should remain at 21 days.
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### **Charter Amendment Proposal 04-4**

#### **A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 12.1 – PURCHASE AND SALE OF PROPERTY - TO PROVIDE A MECHANISM TO OBTAIN COMPETITIVE BIDS THROUGH THE TRADITIONAL SEALED BID PROCEDURE OR ALTERNATIVE METHODS**

Shall Section 12.1 of the Charter, which currently requires sealed bids to be obtained for all sales and purchases in excess of ten thousand dollars, be amended to allow for competitive bids through alternative methods including but not limited to electronic submission or reverse auction methods, by replacing “sealed bids shall be obtained” with “competitive bids shall be obtained through a traditional sealed bid procedure or alternative methods, providing the method used preserves the integrity of the competitive process”?

Should this amendment be approved?

YES \_\_\_ NO \_\_\_

<b>YES</b> In today’s bid environment there are several methods to obtain bids, including	<b>NO</b> Those that support a NO vote believe that all City sales and purchases in dollar
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by not limited to electronic submission or reverse auction methods. Those that support a YES vote believe that the City should be allowed to use those alternative electronic methods to obtain sales and purchases in dollar amounts greater than \$10,000 as long as the method used preserves the integrity of the competitive bid process.

amounts greater than \$10,000 should not be made through alternative electronic methods of obtaining competitive bids.

### **Charter Amendment Proposal 04-5**

#### **A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 3.8.5 – U.S. CONGRESS TERM LIMITATION PROCLAMATION - TO ELIMINATE THE REQUIREMENT OF THE MAYOR TO SEND A PROCLMATION TO THE U.S. CONGRESS ENCOURAGING CONGRESSIONAL TERM LIMITS**

Shall Section 3.8.5 of the Troy Charter be repealed to eliminate the requirement for the Mayor to send an annual proclamation to the U.S. Congress encouraging them to use their best efforts to amend the Constitution to require term limits on the U.S. Congress?

Should this amendment be approved?

YES \_\_\_ NO \_\_\_

**YES** Those that support a YES vote believe that the requirement placed on the Mayor should be eliminated.

**NO** Those that support a NO vote believe that the Mayor should be required to send a proclamation to the U.S. Congress to encourage them to try to amend the U.S. Constitution to require Congressional term limits.

DATE: January 19, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services  
Steve Vandette, City Engineer  
Mark F. Miller, Planning Director

SUBJECT: Agenda Item - PRELIMINARY SITE CONDOMINIUM REVIEW – Wattles Ridge Site Condominium, South of Wattles, East of Rochester, Section 23 – R-1C

### **RECOMMENDATION**

At the November 11, 2003 Regular Meeting, the Planning Commission recommended approval of the Preliminary Site Condominium as submitted, subject to the dedication of a 20-foot wide public access way to the City of Troy as part of the retention area, including a 12-foot wide paved public access drive. Subsequent to this meeting, the City Engineering Department has determined that on-site detention is not required since the petitioner is able to utilize a regional detention basin in Lakeside Park. The petitioner modified the site plan to eliminate the on-site detention area. The general layout of the development and the number of units did not change.

City Management recommends approval of the Preliminary Site Condominium application as submitted.

### **GENERAL INFORMATION**

#### Name of Owner / Applicant:

The owner is listed on the application as Modena Development Corporation. Modena Development Corporation has a purchase agreement with seven property owners. The applicant is John DeBruyne of SDA Architects, Inc.

It must be noted that there seems to be uncertainty regarding the ownership of one of the parcels. This issue needs to be resolved prior to Final Site Condominium Approval.

#### Location of subject property:

The property is located south of Wattles, east of Rochester in section 23.

#### Size of subject parcel:

The parcel is approximately 4.92 acres in area.

Description of proposed development, including number and density of units:

The applicant is proposing a 14-unit site condominium on 4.92 acres, which represents a density of 2.85 units per acre. It should be noted that the site plan calls out each of the 14 units as “lots”. They should instead be indicated as “units” (for example Unit 1, Unit 2, etc.) as per the Condominium Act. This correction will need to be made prior to Final Site Condominium Approval.

At the request of the Planning Department, the applicant provided an alternate layout, titled Alternate Prelim. Site Plan ‘A’. In this layout, Burns Street does not end at a cul-de-sac, and instead stubs at the northern property line. This layout features 13 lots.

Current use of subject property:

The property is currently vacant.

Current use of adjacent parcels:

North: Single family residential.

South: Single family residential.

East: Single family residential.

West: Commercial.

Current zoning classification:

The property is currently zoned R-1C One Family Residential.

Zoning classification of adjacent parcels:

North: R-1C One Family Residential.

South: R-1C One Family Residential.

East: R-1C One Family Residential.

West: B-3 General Business.

Future Land Use Designation:

The property is designated on the Future Land Use Plan as Low Density Residential.

**ANALYSIS**

Compliance with area and bulk requirements:

Lot Area: 10,500 square feet.

Lot Width: 85 feet.

Height: 2 stories or 25 feet.

Setbacks: Front: 30 feet.  
Side (least one): 10 feet.  
Side (total two): 20 feet.  
Rear: 40 feet.

Minimum Floor Area: 1,200 square feet.

Maximum Lot Coverage: 30 %.

The applicant meets the area and bulk requirements of the R-1C District.

Off-street parking and loading requirements:

The applicant will be required to provide 2 off-street parking spaces per unit.

Environmental provisions, including Tree Preservation Plan:

A Tree Preservation Plan was submitted as part of the application.

Stormwater detention:

On-site detention is not required since the petitioner is able to utilize a regional detention basin in Lakeside Park.

Natural features and floodplains:

The Natural Features Map indicates that there are woodlands located on the property. A Wetland Evaluation was conducted by King & MacGregor Environmental Inc. The report indicates there is a 1-acre non-regulated wetland on the parcel.

Subdivision Control Ordinance, Article IV Design Standards

Blocks: Access to the site condominium will be provided by Burns Street, a paved public street.

Lots: All units meet the minimum area and bulk requirements of the Zoning Ordinance.

Easements: The applicant will be required to provide utility easements.

Topographic Conditions: The applicant provided a Topographic Survey of the property.

Streets: The cul-de-sac is extended by approximately 590 feet.

Sidewalks: The applicant is proposing to install 5-foot wide sidewalks along both sides of Burns Street.

Utilities: The parcel is served by public water and sewer.

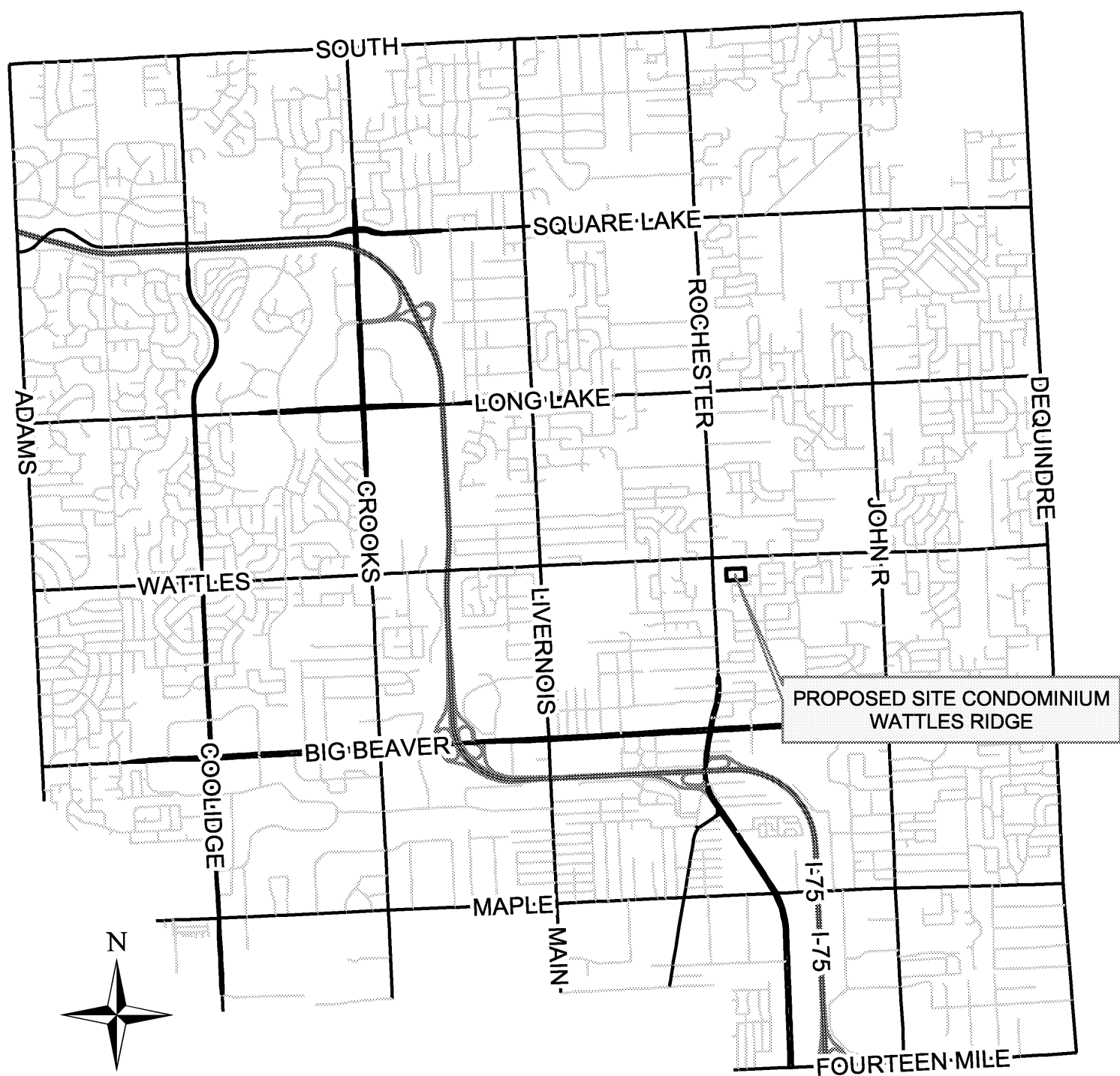
Attachments:

1. Maps
2. Planning Commission Minutes
3. Wetlands Determinaiton
4. Unplatted Residential Development Levels of Approval
5. Comparison Between Site Condominiums and Plats
6. Public Comment
7. Alternate Layout C2

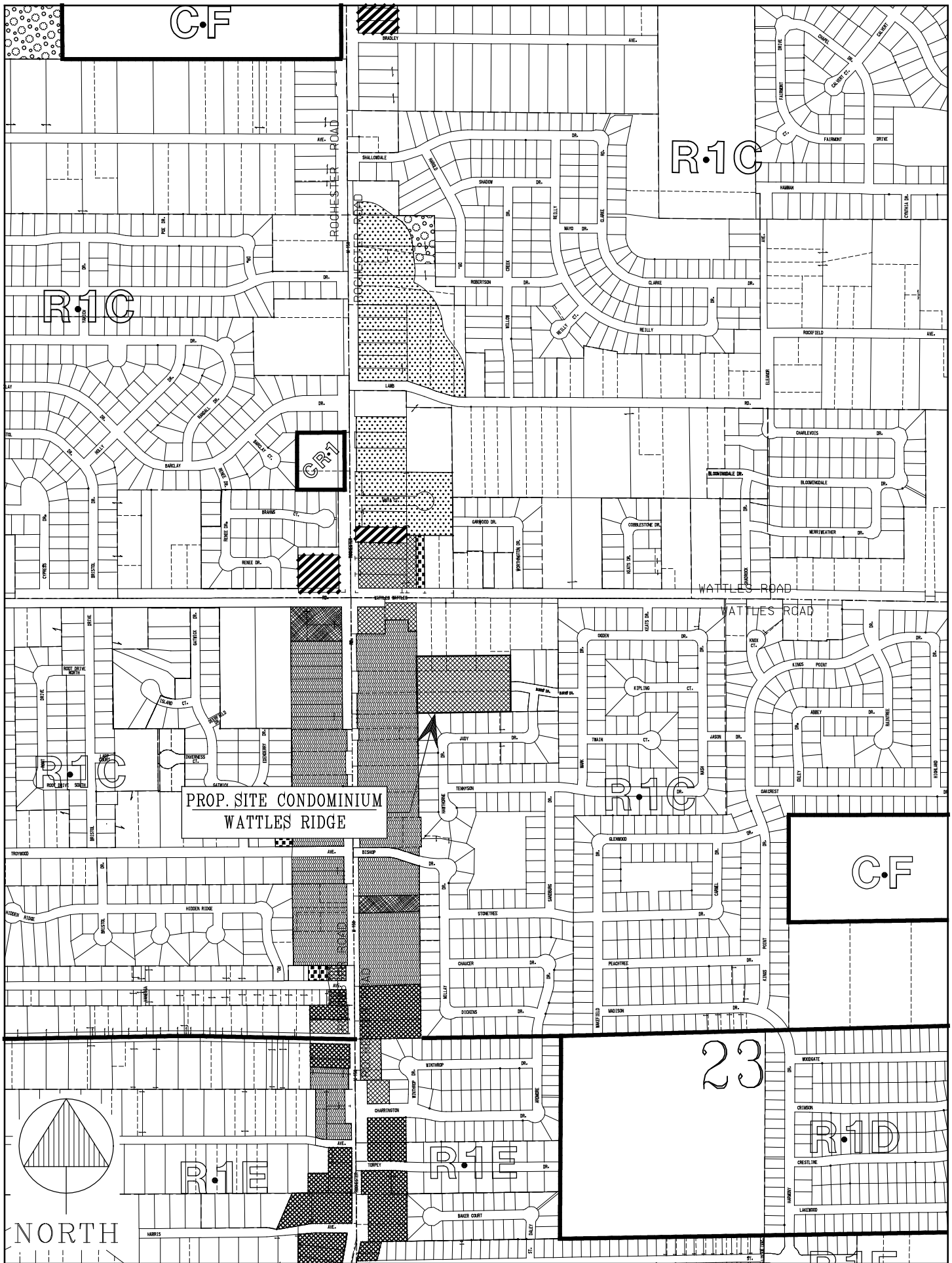
cc: Applicant  
File/Wattles Ridge Site Condominium

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# CITY OF TROY







C.F.

R1C

R1C

GP-7

PROP. SITE CONDOMINIUM  
WATTLES RIDGE

R1C

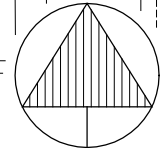
C.F.

23

R1E

R1E

R1D



NORTH



SITE PLAN REVIEW  
PROP. WATTLES RIDGE SITE CONDOMINIUM  
S OF WATTLES, E OF ROCHESTER  
SEC. 23 (14 UNITS)

PROPOSED SITE CONDOMINIUM  
WATTLES RIDGE



0 50 100 200 300 400 Feet



## **SITE CONDOMINIUM SITE PLAN**

### **3. SITE PLAN REVIEW – Proposed Wattles Ridge Site Condominium, 14 units proposed, South of Wattles, East of Rochester Road, Section 23 – R-1C**

Mr. Savidant presented a summary of the Planning Department report for the proposed site condominium development. He reported that ownership of one of the parcels is involved in an on-going lawsuit and noted that it has no relevancy to the site plan submittal. The Planning Department prefers the layout with 14 units, as opposed to the alternate layout with 13 units that was submitted at the request of the Planning Department.

Mr. Savidant reported that it is the recommendation of the Planning Department to approve the Preliminary Site Condominium as submitted with the condition that a 20-foot wide public access way is dedicated to the City of Troy, including a 12-foot wide paved public access drive, from Wattles Road to the detention pond.

Connections to Wattles Road, the detention basin and access to the detention basin, and future development of the frontage parcels were discussed.

The petitioner, John DeBruyne of SDA Architects, Inc., 2201 Twelve Mile Road, Warren, was present.

Sam Mercurio, developer, of 5540 Brookside, Washington Township, and Tom Rice, broker with TDR Associates, 28291 Martindale, New Hudson, were also present.

Chairman Littman asked if the developer has control of the frontage parcels on Wattles Road and if / how he has control of the area that is going to be the easement for the retention pond.

Mr. Rice stated they have control of the frontage parcels, but noted that some of the parcels remain under an option agreement and closing on those parcels would be scheduled some time next year.

Mr. Mercurio said there are no definite development plans for that portion of the property at this time, noting it may remain as is or possibly residential homes may be built on the property. He confirmed that the property is usable as it is currently zoned.

Chairman Littman opened the floor for public comment.

Robert Smith, 1340 Burns Drive, was present. Mr. Smith's home is adjacent to the east end of the proposed development. Mr. Smith said he was informed by the DNR that the wooded area is a wetlands and no digging or filling of that wetlands is allowed. He said the developer has destroyed the wetlands and the habitat for the

red wing blackbirds, muskrats and other indigenous animals. Mr. Smith stated that maple trees, 3 to 4 inch in diameter, have also been destroyed. Mr. Smith feels the proposed development will create additional traffic and increase the difficulty that now exists for vehicular traffic to exit onto Wattles Road. Mr. Smith hopes the proposed condominiums will be well constructed and complement the subdivision environment.

Mr. Miller confirmed that the City's Environmentalist Specialist reviewed the proposed development and determined that the wetlands are unregulated.

Chairman Littman encouraged Mr. Smith to contact the DNR again for clarification on the wetlands.

Mr. Waller encouraged Mr. Smith to keep written records of all communication with respect to the proposed project.

Kimberly Flaig of 1219 Judy Drive, Troy, was present. Ms. Flaig's home is behind the wetlands area. She voiced her concern that future development of the remaining parcels could result in a strip shopping mall. Ms. Flaig indicated that City staff has more than once informed her that the only development that could go in this area is single family homes or a church. She said she wants the residential environment to remain. Ms. Flaig voiced her concern with potential flooding as a result of the development. Ms. Flaig stated she may pursue adverse possession as a device to slow or halt the development, and noted she has maintained a portion of the land behind her home since the subdivision was built more than 15 years ago. Ms. Flaig insisted that the value of the proposed condominiums be greater than the current value of the subdivision homes, referencing a price range of \$400,000. She cited that if the condominium development is constructed similar to the recent condominiums that are behind Blockbuster next to Tom's Landscaping, she and the neighbors would file a petition in opposition. Ms. Flaig said that the proposed development would increase traffic congestion and jeopardize the safety of school children. Ms. Flaig voiced a concern that the condominiums would not sell quickly because of the market's current glut.

Chairman Littman explained that the charge of the Planning Commission is to review and determine if the site plan conforms to the laws, rules and regulations of the City. He informed Ms. Flaig that adverse possession would be handled through the court system.

The floor was closed.

Mr. Miller clarified that the proposed development is within the R-1C zoning district, which is the same zoning district of the neighboring subdivision. He informed concerned residents in the audience that a site condominium development must adhere to the same requirements of a single family residential subdivision, but noted a site condominium development is merely an alternative method of platting a



residential subdivision. Mr. Miller stated the City is required by law to permit the development of site condominiums, and further explained the ownership differences between subdivisions and condominiums for which the City cannot discriminate.

Ms. Lancaster, confirming Mr. Miller's statements, encouraged the residents to review the informative *Comparison between Site Condos and Plats* prepared by the Planning Department. She stated there are homeowner associations for condominiums, as well as residential subdivisions. Ms. Lancaster explained that the charge of the Planning Commission is to make a recommendation to City Council as to whether or not the site plan meets the requirements of the City ordinance. She stated that City Council has final approval of the site plan and has no control over taxes. Ms. Lancaster said the Planning Commission cannot give consideration to the value of a house, and has no authority over the pricing of the homes. Ms. Lancaster said the Planning Commission is very aware of adverse possession, but clarified that the Commission cannot delay the process of a particular site plan that meets City requirements based upon a threat of adverse possession. Ms. Lancaster confirmed the City has no ordinance with respect to wetlands and, therefore, has no authority on non-regulated wetlands.

Chairman Littman informed the audience that further questions or concerns could be discussed with the City Attorney's Office, City Council or the Planning Department.

Mr. Kramer said it would be in the best interest of the City and the Planning Commission to look at a proposal that gives consideration to the whole area, particularly, since the petitioner has indicated that the area is under his control.

Mr. Vleck voiced opposition, citing that the proposal in front of the Commission appears to meet all ordinance requirements and suggested the Commission move forward with the proposal.

**Resolution # PC-2003-11-049**

Moved by: Kramer

Seconded by: Storrs

**RESOLVED**, That the Preliminary Site Plan as requested for Wattles Ridge Site Condominium be tabled for further discussion at the December 2, 2003 Special/Study Meeting for consideration of a proposal from the developer for the entire R-1C property.

Yes: Kramer, Littman, Storrs

No: Schultz, Strat, Vleck, Waller

Absent: Chamberlain, Wright

**MOTION DENIED**

A brief discussion followed.

Chairman Littman stated the Planning Commission is to look and understand what is going on with future development, and the only way one can provide for the orderly development of an area is to know what is going on in the future.

**Resolution # PC-2003-11-050**

Moved by: Vleck

Seconded by: Schultz

**RESOLVED**, That the Planning Commission recommends to City Council that the Preliminary Site Plan, as requested for Wattles Ridge Site Condominium, including 14 units, located south of Wattles Road and east of Rochester Road, Section 23, within the R1C zoning district be granted, subject to the following conditions:

1. Dedication of a 20-foot wide public access way to the City of Troy as part of the retention area, including a 12-foot wide paved public access drive.

Yes: Kramer, Schultz, Strat, Vleck, Waller

No: Littman, Storrs

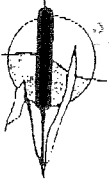
Absent: Chamberlain, Wright

**MOTION CARRIED**

Mr. Storrs is not in favor of the proposal because he believes the development should have a connection to Wattles Road, and he would like to see something concrete from the developer as to how he can utilize the R1-C zoning in future development. Mr. Storrs also encouraged the residents to address City Council with their concerns on potential water issues as a result of the proposed development.

Chairman Littman said his reason for voting no has already been stated. He noted the concerns of the residents are on record, and it is hoped that the Commission has provided them with some direction. Chairman Littman announced that the proposal would go before City Council for their review and approval in approximately one month.

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King & MacGregor  
Environmental  
Inc.

July 25, 2003

Mr. Stefano Mularoni  
**Edison Building Company**  
18530 Mack Avenue, Suite 548  
Grosse Point Farms, MI 48236

REC'D

OCT 10 2003

PLANNING

Re: Preliminary Wetland Determination Report  
South Side of Wattles Road – Approximately 9.00 Acres  
City of Troy, Oakland County, Michigan

Dear Mr. Mularoni:

Pursuant to your request, our firm completed a preliminary wetland determination on an approximately 9.00 acre parcel located in the City of Troy, (Part of the N.W. ¼ of Section 23, T. 2N., R. 11E.) Oakland County, Michigan. The intent of this evaluation is to provide a report of the character of the wetland within the subject parcel and an opinion as to the jurisdiction of these wetlands by the Michigan Department of Environmental Quality (MDEQ).

The methods used to conduct this wetland evaluation are consistent with the procedures and general practices of the MDEQ. This evaluation included review of in-office information including the Oakland County Soil Survey, National Wetlands Inventory mapping, and the U.S.G.S. quadrangle map for this area. The on-site preliminary wetland determination was conducted on July 9, 2003 to determine the presence of wetlands within the subject parcel. Wetland was found to be present within the subject property and is located in the southwestern portion of the property (occurring on the parcels identified as 20-23-100-041 and 20-23-100-046). The northern portion of the wetland is forested wetland, which transitions into emergent and shrub/scrub wetland as it continues to the south.

The Soil Survey of Oakland County shows two soil map units within the subject property, Metamora sandy loam and Selfridge loamy sand. Both of the soil units are considered non-hydric or upland soil, however, while these soils are considered upland soils they do contain inclusions of hydric or wetland soils in depressions and drainageways. Both the U.S.G.S. Quadrangle map and the National Wetland Inventory (NWI) map show no wetlands present within the subject property.

#### Site Conditions

The approximately 9.00 acre site consists of: four residential lots each with an existing home, which fronts along Wattles Road; the southern portion of an existing daycare facility; and two parcels located south of the daycare and residential properties. The southern portion of the daycare property consists of maintained lawn and scattered trees. The area surrounding the four residential homes and adjacent to Wattles Road is primarily maintained lawns with scattered trees and landscaping around the homes.

The parcel located directly south of the daycare and residential homes, parcel 20-23-100-041, is primarily forested with an area of overgrown field in the eastern portion of the parcel. It was determined during the on-site preliminary wetland determination that this parcel contains forested wetland.

5880 N. Canton Center Rd.  
Suite 462  
Canton, MI 48187  
Phone: 734/354-0594  
Fax: 734/354-0593

Other Offices:  
Grand Rapids  
St. Clair Shores  
East Lansing  
Big Rapids

Wattles Garden  
July 25, 2003

Preliminary Wetland Determination Report  
KME, Inc.

The wetland is estimated to be 1.00 acre in size, starting at the western property boundary and extending approximately 280 feet to the east. The forested wetland area is dominated by silver maple in the canopy layer with little or no shrub layer. The forb layer was sparse during the time of our on-site evaluation and consisted of only scattered patches of late goldenrod, poison ivy, sedge species, and avens species. It was determined that the wetland continues to the south onto parcel 20-23-100-046 and is estimated to be 0.60 acres in size. As the wetland continues to the south, the wetland transitions into emergent wetland with scattered clumps of shrubs. The wetland vegetation noted in this area consists of species such as cattails, sedge species, aster species, late goldenrod, and willow species. It was determined in the field that the wetland terminates at the southern and western property boundaries.

The remainder of the property is upland woods and overgrown field. The upland woods is characterized by species such as green ash, Eastern cottonwood, black cherry, European birch, black locust, apple species, hawthorn species, common buckthorn, black raspberry, and honeysuckle within the tree and shrub layers. Species identified within the forb layer include dandelion, grass species, tall goldenrod, poison ivy, Dame's rocket and Virginia creeper. The overgrown field is characterized by species such as common buckthorn, apple species, autumn olive, black raspberry, thistle species, tall goldenrod, teasel, and smooth brome grass.

In Oakland County, the MDEQ regulates wetlands that are 5 acres in size or greater, and/or wetlands that are contiguous to an inland lake, stream, pond, or the Great Lakes. MDEQ regulations define a "lake" as a waterbody greater than 5 acres in size and a "pond" as a waterbody with a permanent open water area of one acre or more. "Contiguous" is defined, in general, as a direct surface or groundwater connection with and/or being located within 500 feet of a lake, stream, or pond or within 1,000 feet of the Great Lakes or connecting water bodies.

It was determined in the field that there are no inland lakes, stream, or ponds located within 500 feet of the subject property and our preliminary determination is that the wetland within the subject property is less than 5 acres in size. Based on these findings it is our professional opinion that the wetland within the subject property would be considered non-regulated by the MDEQ.

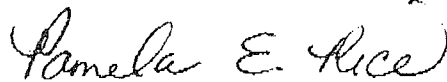
The information provided in this report is a professional opinion, the ultimate decision on wetland boundary locations and jurisdiction thereof rests with the MDEQ and, in some cases, the Federal government. Therefore, there may be adjustments to boundaries based upon review of a regulatory agency. An agency determination can vary, depending on various factors including, but not limited to, experience of the agency representative making the determination and the season of the year. In addition, the physical characteristics of the site can change with time, depending on the weather, vegetation patterns, drainage, activities on adjacent parcels, or other events. Any of these factors can change the nature and/or extent of wetlands on the site.

Wattles Garden  
July 25, 2003

Preliminary Wetland Determination Report  
KME, Inc.

Thank you for the opportunity to provide this preliminary wetland determination. Should you have any questions please feel free to call me in our Southeast Michigan office at 734-354-0594 or contact me via email at [price@king-macgregor.com](mailto:price@king-macgregor.com).

Sincerely,



King & MacGregor Environmental, Inc  
Pamela E. Rice





## UNPLATTED RESIDENTIAL DEVELOPMENT LEVELS OF APPROVAL

### **Preliminary Plan Approval**

A sign is placed on the property informing the public of the proposed development.

Adjacent property owners are notified by mail

Public meeting held by **Planning Commission** for review and recommendation to City Council

**City Council** reviews and approves plan

The following items are addressed at Preliminary Plan Approval:

- Street Pattern, including potential stub streets for future development
- Potential development pattern for adjacent properties
- Fully dimensioned residential parcel layout, including proposed building configurations
  - Number of lots
  - Building setbacks
  - Lot dimensions
  - Locations of easements
- Preliminary sanitary sewer, storm sewer, and water main layout
- Environmental Impact Statement (if required)
- Location(s) of wetlands on the property

### **Final Plan Approval**

Notice sign is posted on site

**City Council** review and approval of:

- Final Plan
- Contract for Installation of Municipal Improvements (Private Agreement)

The following items are addressed at Final Plan Approval:

- Fully dimensioned plans of the total property proposed for development, prepared by registered Civil Engineer or Land Surveyor
- Corners of all proposed residential parcels and other points as necessary to determine that the potential parcels and building configurations will conform with ordinance requirements
- Warranty Deeds and Easement documents, in recordable form for all ROW. and easements which are to be conveyed to the public
- Construction plans for all utilities and street improvements, prepared in accordance with City Engineering Design Standards:
  - Sanitary and Storm sewer
  - Water mains
  - Detention / Retention basins
  - Grading and rear yard drainage
  - Paving and widening lanes
  - Sidewalk and driveway approaches
- Approval from other government agencies involved with the development
- Verification of wetlands and M.D.E.Q. permit if necessary
- Financial guarantees to insure the construction of required improvements and the placement of proper property and parcel monuments and markers shall be furnished by the petitioner prior to submittal of the Final Plan to the City Council for review and approval
- Floor Plans and Elevations of the proposed residential units

## **COMPARISON BETWEEN SITE CONDOMINIUMS AND PLATS**

The site condominium is a form of development that closely resembles the more traditional form of land subdivision known as a “subdivision” or a “plat”. Although both types of development have the same basic characteristics, site condominiums are a newer form of development and are not, therefore, as familiar to homebuyers and neighbors as the more customary plats. An important concept related to any type of condominium development is that condominiums are a form of OWNERSHIP, not a type of physical development.

The following summary is intended to compare and contrast the two types of development.

### **1. Comparisons between site condominiums and plats.**

- a. **Statutory Basis** – Site condominium subdivisions first became possible under the Michigan Condominium Act, which was adopted by the Michigan Legislature in 1978. Plats are created under the Michigan Land Division Act, formerly the Michigan Subdivision Control Act of 1967.
- b. **Nature and Extent of Property Ownership** – An individual homesite building in a platted subdivision is called a “lot”. In a site condominium, each separate building site or homesite is referred to by the Condominium Act as a “unit”. Each unit is surrounded by “limited common area”, which is defined as common elements reserved in the master deed for the exclusive use of less than all of the co-owners”. The remaining area in the site condominium is “general common area”, defined as the common elements reserved in the master deed for the use of all of the co-owners. The nature and extent of ownership of a platted lot and a condominium unit, with the associated limited common area, are essentially equivalent from both a practical and legal standpoint.
- c. **Compliance with Zoning Ordinance** – Both site condominiums and subdivisions are required to comply with the minimum requirements of the City of Troy Zoning Ordinance for area and bulk, including minimum lot size, lot width, setbacks and building height. Essentially, site condominiums and subdivisions in Troy must “look” similar.
- d. **Creation/Legal Document** – A site condominium is established by recording in the records of the county in which the land is located a master deed, bylaws and condominium subdivision plan (“plan”). A platted subdivision is created by the recording of a subdivision plat (“plat”), usually coupled with a declaration of easements, covenants, conditions and restrictions. The plan depicts the condominium units and limited and general common areas, while the plat defines the lots. Both have

substantially the same geometrical appearance and characteristics. The master deed and bylaws on the one hand and the declaration on the other have essentially the same functions with respect to the site condominium or platted subdivision, namely, establishment of: (i) building and use restrictions; (ii) rights of homeowners to use common areas; (iii) financial obligations of owners; and, (iv) procedures for operation of the subdivision.

- e. **Home Maintenance and Real Estate Taxes** – Each unit and lot, as respectively depicted on a condominium plan or subdivision plat, together with any home located thereon, are required to be individually maintained by the owner. Likewise, separate real estate taxes are assessed on each condominium unit or platted lot and paid individually by each homeowner.
- f. **Roads and Utilities** – In most plats, roads are dedicated to the public and maintained by the county road commission or the municipality in which the subdivision is located. Site condominium roads can be either public or private. Sanitary sewer and water supply are public in both. Storm water detention can vary between public and private dedication in both platted and condominium subdivisions.
- g. **Common Areas** – In a site condominium, general common areas, such as open space, entrance areas and storm drainage system, are owned by condominium unit owners in common as an incident of ownership of each unit. In a platted subdivision, legal title to common areas is owned by a homeowners association. In both forms of development, a homeowners association administers the common areas for the benefit of all homeowners equally.
- h. **Homeowners Association** – It is important in both types of development to incorporate a homeowners association comprised of all lot owners or unit owners, as the case may be, to maintain common areas, enforce restrictions and regulations, collect assessments and otherwise administer the common affairs of the development. Because the Condominium Act confers special enforcement powers upon homeowner associations, which are not characteristic of platted subdivision associations, it is generally thought that the condominium form is superior from the standpoint of enforcing rules and regulations of the private community.
- i. **Financial Obligations of Homeowners** – In both types of development, the homeowners association is given the power to assess property owners to pay for maintenance of all common areas and other expenses of administration. Failure to pay give rise to a lien on the defaulting owner's homesite thus providing financial security that the common areas will be properly maintained for the benefit of all homeowners.

- j. **Public Relations** – The same types of public health, safety and welfare regulations apply to both forms of development. Procedurally, the methods of applying for and obtaining plat or condominium plan approval are similar at the municipal level.
- k. **Unique Characteristics of Condominium Unit Purchase** – The Condominium Act provides special benefits for site condominium unit purchasers: (i) a 9-day period after signing a purchase agreement within which a purchaser may withdraw without penalty; and (ii) a requirement that all condominium documents, supplemented by an explanatory disclosure statement, be furnished to all purchasers at the time of entry into a purchase agreement. There are no similar benefits to purchasers provided under the Land Division Act.
- l. **Local and State Review** – Both development types require City Council approval, following a recommendation by the Planning Commission. Unlike subdivisions, site condominiums do not require the review and approval of the Michigan Department of Consumer and Industry Services. For this reason it can sometimes take a substantially shorter period of time to obtain necessary public approvals of site condominiums than platted subdivisions.

**2. Reason for choosing one form versus another.**

Developers and municipalities often prefer the site condominium approach because of better control of market timing. It should be emphasized that the site condominium choice never sacrifices any public protections that would otherwise be present in the case of a platted subdivision under similar circumstances.

**3. Conclusion.**

The platted subdivision approach and the newer site condominium technique are two different statutory methods of reaching essentially the same practical and legal result of subdividing real estate into separate residential building sites. Both methods are required to meet substantially the same public health, safety and welfare requirements. The site condominium is sometimes chosen over the platted subdivisions because of perceived benefits to purchasers, homeowners, and developers.

**Paula P Bratto**

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**From:** Flaig, Kimberley [Kimberley.Flaig@AGEDWARDS.com]  
**Sent:** Monday, October 27, 2003 2:58 PM  
**To:** 'Paula P Bratto'  
**Subject:** RE: Public Hearing Notices & Residential Development Proposed

If the homeowners all sign a petition to try to prohibit the development of the condominium complex, state our case at the hearing, and offer other alternatives will it stop them or are we wasting our time? It seems that there is taxation without representation - GREED RULES. This City is becoming basically concrete. Why don't the owners build condos behind their homes?

Kimberley

-----Original Message-----

**From:** Paula P Bratto [mailto:BrattoPP@ci.troy.mi.us]  
**Sent:** Wednesday, October 22, 2003 4:35 PM  
**To:** 'gharubin@wideopenwest.com'; 'vpsgha@yahoo.com'; 'board@rvha.org';  
'Cotha@troyhomes.org'; 'vanproeyen@yahoo.com'; Flaig, Kimberley  
**Subject:** Public Hearing Notices & Residential Development Proposed

<<Wattles Ridge Site Condo notice pc 11-11-03.doc>> <<Z-692 Axtell Retail  
to B-3 sec 32 pc notice 11-11-03.doc>> <<Z-518 B Kresge Foundation to O-1  
sec 30 pc notice 11-11-03.doc>> <<Z-597 C Long Lake & Roch to B-2 sec 15 pc  
notice 11-11-03.doc>> <<SU-321 Master Auto Service Sec 34.doc>>

If you have any problems with the above attachments please contact our  
office.

Paula Preston Bratto  
City of Troy Planning Dept.  
Planner  
(248) 524-3365

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A.G. Edwards & Sons' outgoing and incoming e-mails are electronically  
archived and subject to review and/or disclosure to someone other  
than the recipient.

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10/27/03

**Paula P Bratto**

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**From:** Paula P Bratto  
**Sent:** Thursday, October 23, 2003 10:10 AM  
**To:** 'Flaig, Kimberley'  
**Subject:** RE: Public Hearing Notices & Residential Development Proposed

Thank you for your recent inquiry regarding development in the City of Troy. I hope this letter will address some of your concerns.

The way in which property in the City of Troy can be developed is determined by the Zoning District in which the property is located. The current Zoning District of a property is indicated on the Zoning District Map and regulated by the Zoning Ordinance. The potential for future changes to the Zoning District of a property is indicated in the Future Land Use Plan.

A proposed development must meet the requirements of that Zoning District. These requirements include permitted uses, density or intensity of the development and setbacks. The City cannot require that a developer exceed the requirements set forth in the City Ordinances.

The subdivision that you live in is zoned R-1C One Family Residential. In that district single family homes are the primary permitted use. The density permitted in the R-1C district is up to 3.1 homes per acre with a minimum lot size of 10,500 sq. ft. with minimum front yards of 30 ft., rear yards of 40 ft. and side yards of 10 ft..

The proposed development is a Site Condominium project. Site Condominiums are not the same as type of development as a Condominium (unfortunately these are the terms used by the State). A Site Condominium consists of single family homes. In the City of Troy a Site Condominium has to meet all the density, lot size and setback requirements as any other residential development, be it a subdivision or site condominium, in its zoning district. Visually, there is no difference between a Site Condominium and a Subdivision.

The proposed Wattles Ridge development as submitted has a total of 14 units. The proposed units meet or exceed the minimum standards for your zoning district as described above. The homes are proposed to be two stories, with basements, four bedrooms, and attached two-car garages.

The City of Troy does not have a Woodlands Preservation Ordinance per se. Our Landscape Design and Tree Preservation Standards require that a Preliminary Tree Inventory be provided indicating the size, species, and location of trees of all trees on the site of acceptable species and within the preservable range of 4 -10 in. d.b.h. (diameter when measured at 4 ft. 6 in. above the ground surface). A final Tree Preservation Plan will be provided that indicates the trees to be preserved and trees to be removed. Preservation of trees, where possible, is encouraged. There are no requirements for screening or buffers to be provided between residential developments.

All proposed developments are reviewed by our Traffic Engineer with regard to traffic safety issues.

I have also attached a copy of the Site Plan of the proposed development.

If you have any further questions or concerns, please feel free to contact our office.

*Paula Preston Bratto*

Planner  
(248) 524-3365

10/27/03

**Paula P Bratto**

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**From:** Flaig, Kimberley [Kimberley.Flaig@AGEDWARDS.com]  
**Sent:** Thursday, October 23, 2003 9:06 AM  
**To:** 'Paula P Bratto'  
**Subject:** RE: Public Hearing Notices & Residential Development Proposed

We as homeowners were informed that only a church or single family dwellings could be constructed on this property, not condos. Now you are indicating a condo complex is to be erected on this property. How are the existing homeowners to be shielded from the view of the condos (hopefully lots of large aborviataes and the existing trees as well as more trees). The traffic is so terrible on Wattles these condos are just going to create more havoc with Wattles Traffic. The homeowners request that trees that are left behind homes remain and large aborviataes (shrubs to be planted all along the homes to shelter the view of the condos. There should be no road constructed behind the homes. Is the entrance off Burns or are they cutting in another road? The City seems to be cutting down every tree just to erect more buildings, strip malls, condos, etc. and not protecting the environment. This City teaches the children to save the trees for oxygen for humans and animals, provide shade, witness mother nature's beauty, etc. but will allow every builder to cut down every tree in sight that takes years and years to grow. Allowing condos to be built without the shelter of remaining trees and shrubs will reduce the price of our homes. The original homeowners all paid premium prices for these lots knowing someday a church or single family dwellings may be built but not condos. I would like the people on the board to truly tell me how they would feel if they had woods behind their homes and were told the same thing and then it was decided condos were to be erected directly behind them. Believe me they would not not be happy. Let the builders be inconvenienced building around the trees not the existing homeowners viewing a back wall.

Kimberley Flaig

-----Original Message-----

**From:** Paula P Bratto [mailto:BrattoPP@ci.troy.mi.us]  
**Sent:** Wednesday, October 22, 2003 4:35 PM  
**To:** 'gharubin@wideopenwest.com'; 'vpsgha@yahoo.com'; 'board@rvha.org';  
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**Subject:** Public Hearing Notices & Residential Development Proposed

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Paula Preston Bratto  
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archived and subject to review and/or disclosure to someone other  
than the recipient.

10/27/03

January 19, 2004

TO: John Szerlag, City Manager

FROM: Gary Shripka, Assistant City Manager/Services  
Steve Vandette, City Engineer  
Mark F. Miller, Planning Director

SUBJECT: AGENDA ITEM - FINAL SITE CONDOMINIUM REVIEW (REVISED)  
– Colleen Meadows Site Condominium, west of Dequindre Road and south of Square Lake Road, section 12 – R-1C.

### **RECOMMENDATION**

City Council granted Final Site Condominium Approval on June 16, 2003. A minor drafting error of 5 ½ inches was discovered while reviewing the condominium drawings for the Master Deed. The Final Site Condominium Plan was revised to correct the error and has been resubmitted for City Council approval.

The proposed site condominium complies with all applicable ordinance requirements. City Management recommends approval of the Final Plan for Colleen Meadows Site Condominium.

### **GENERAL INFORMATION**

Name of Owner / Applicant:  
Golden Homes, Inc.

Location of subject property:  
The property is located west of Dequindre Road and south of Square Lake Road, section 12.

Size of subject parcel:  
The parcel is approximately 7.5 acres in size.

Description of proposed development, including number and density of units:  
The applicant is proposing a total of 20 detached single family condominiums on 7.5 acres, a density of 2.7 units per acre.

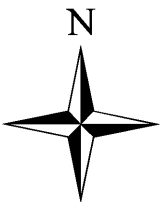


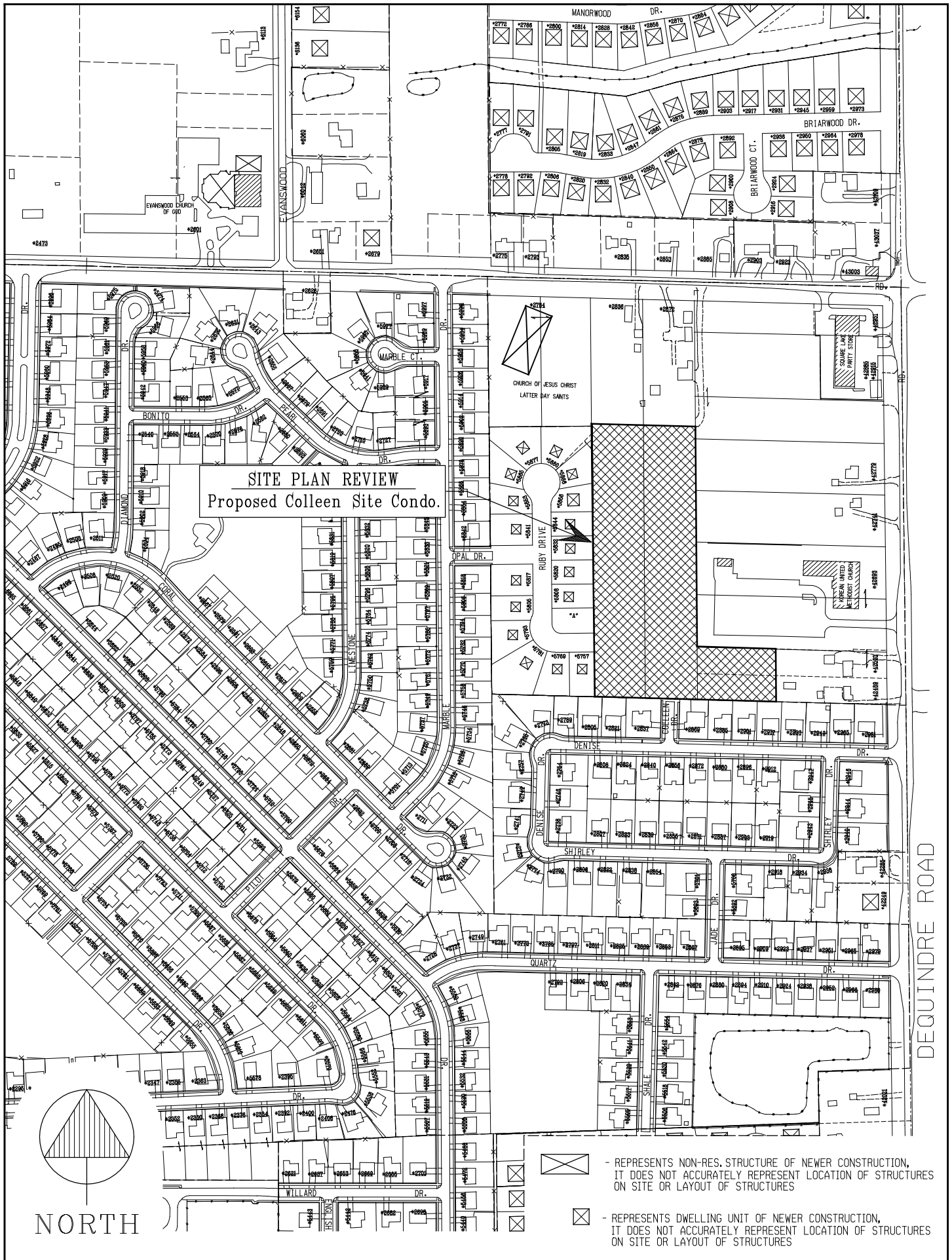
Attachments:

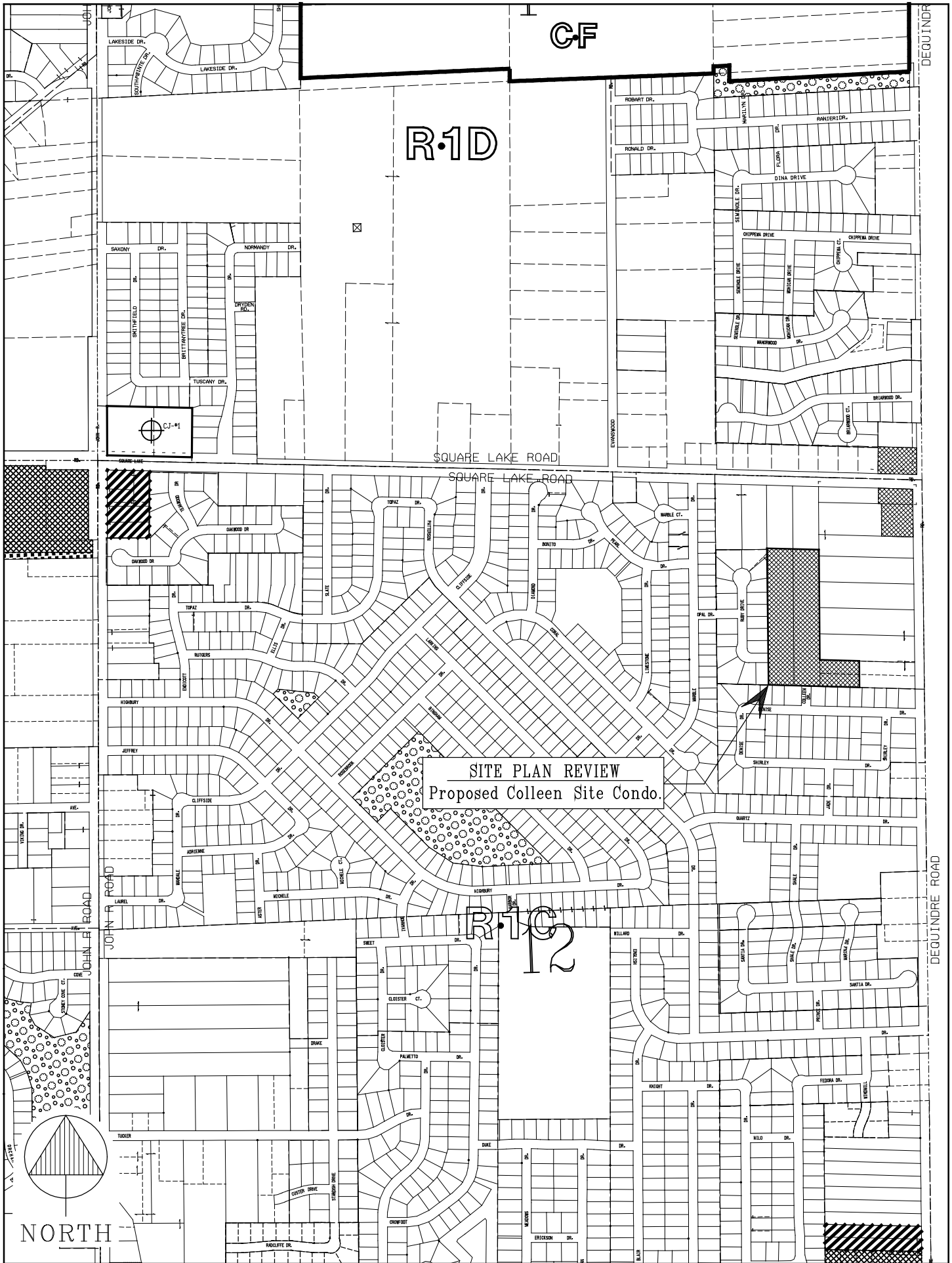
1. Maps
2. Letter from Land Engineering Services Inc. dated January 14, 2004
3. Contract for Installation of Municipal Improvements
4. Unplatted Residential Development Levels of Approval
5. Comparison Between Site Condominiums and Plats
6. Site Condominium Plan for Colleen Meadows

cc: Applicant  
File/Colleen Site Condominium

# CITY OF TROY









SITE PLAN REVIEW  
COLLEEN SITE CONDOMINIUM  
S OF SQUARE LAKE, W OF DEQUINDRE  
SEC. 12

SITE PLAN REVIEW  
PROP. COLLEEN SITE CONDO.

SQUARE LAKE ROAD

SQUARE LAKE ROAD

MARBLE COURT

BONITO DRIVE

PEARL DRIVE  
PUBLIC WALKWAY

DIAMOND DRIVE

BLE DRIVE

OPAL DRIVE

RUBY DRIVE

LIMESTONE DRIVE

CORAL DRIVE

PATTERSON DRIVE

LARKINS DRIVE

COLLEEN DRIVE

DENISE DRIVE

DENISE DRIVE

SHIRLEY DRIVE

SHIRLEY DRIVE

DEQUINDRE ROAD

0 50 100 200 300 400 Feet



LAND ENGINEERING SERVICES INC  
2201 TWELVE MILE RD  
WARREN, MI 48092  
586-582-9800 FAX: 586-582-9866

January 14, 2004

City of Troy  
Planning Department  
500 W. Big Beaver  
Troy, MI 48084

JAN 14 2004

PLANNING DEPT.

RE: *Colleen Meadows Condominium*  
*Square Lake Road*  
*Troy, MI*


Dear Sirs:

This letter is to explain the submittal of revised site plans for the above project. A minor drafting error of 0.46 feet (5 ½ inches) occurred while drawing the original site plan, on the North end of the site. This error was discovered while drafting the Condominium drawings for the Master Deed, resulting in this correction.

Attached you will find 26 copies of the site plan as requested.

Should you have any further questions, please feel free to call me.

Sincerely,

  
Elias Kattouah  
President

Encl: (26)



Attch 1-6  
5-12-2003

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)**

PROJECT NO. 02.943.3

PROJECT LOCATION: NE 1/4 SECTION 12

RESOLUTION NO. 2003-05-264E-6

DATE OF COUNCIL APPROVAL: 5/12/2003

**KNOW ALL MEN BY THESE PRESENT;** That the City of Troy, a Michigan Municipal Corporation of the County of Oakland, State of Michigan, hereinafter referred to as "City" and Golden Homes, Inc. whose address is 5108 23 Mile Rd., Shelby Twp. MI 48316 and whose telephone number is 586-726-2677 hereinafter referred to as "Owners".

**WITNESSETH, FIRST:** That the City agrees to allow the installation of water main, storm sewer, detention, sanitary sewer, sidewalks and paving in accordance with plans prepared by Land Engineering Services, Inc. whose address is 2201 12 Mile Road, Warren, MI 48092 and whose telephone number is (810) 582-9800, and approved prior to construction by the City Specifications of the City shall be complied with for this construction.

**SECOND:** That the Owners agree to contribute the approximate contract price of **\$518,118.00**. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

<u>Cash</u>	<input type="checkbox"/>
<u>Certificate of Deposit</u>	<input type="checkbox"/>
<u>Irrevocable Bank Letter of Credit</u>	<input checked="" type="checkbox"/>
<u>Check</u>	<input type="checkbox"/>

Said funds shall be placed on deposit with the City upon the execution of this contract and shall be disbursed to the contractor by the City only upon presentation of duly executed waivers of lien and sworn statements satisfactory to the City, and after final inspection and approval by the Engineering Department for the City. In addition, the owners agree to contribute **\$77,209.00** cash fee & deposit per the attached **Detailed Summary of Required Escrow Deposits and Cash Fees & Deposits.**

**RECEIVED**

MAY 14 2003

**ENGINEERING**

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)**

PROJECT NO. 02.943.3

PROJECT LOCATION: NE ¼ SECTION 12

COUNCIL RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

**THIRD:** The owners may contract for construction of said improvement or may have the City advertise for bids. In the even the Owners select their own contractor, such contractor shall be subject to prior written approval by the City and completed contract documents shall be submitted to the City.

Owners agree to arrange for a pre-construction meeting with the City Engineer and the contractor prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, according to the approved plans.

**FOURTH:** Owners hereby acknowledge the benefit to their property conferred by the construction of the aforementioned and agree and consent to pay the total sum of \$561,492.00 for the construction of said public utilities in lieu of the establishments of any special district by the City. Further, owners acknowledge that the benefit to their property conferred by the improvement is equal to, or in excess of, the aforementioned amount.

**FIFTH:** Owners agree that if, for any reason, the total cost of completion of such improvement shall exceed the sum deposited with the City in accordance with Paragraph SECOND hereof, that Owners will immediately remit such additional amount to the City upon request and City will disburse such additional amount in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sum deposited with City in accordance with Paragraph SECOND hereof, City will reimburse to the Owners the excess funds remaining after disbursement of funds.

**SIXTH:** Owners agree to indemnify and save harmless City, their agents and employees, from and against all loss or expense (including costs and attorneys' fees) by reason of liability imposed by law upon the City, its agents and employees for damages because of bodily injury, including death, at any time resulting therefrom sustained by any person or persons or on account of damage to property, including work, provided such injury to persons or damage to property is due or claimed to be due to negligence of the Owner, his contractor, or subcontractors, employees or agents, Owner further agrees to obtain and convey to the City all necessary easements for such public utilities as required by the City Engineer.



**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)**

PROJECT NO. 02.943.3PROJECT LOCATION: NE ¼ SECTION 12

COUNCIL RESOLUTION NO. \_\_\_\_\_

DATE OF COUNCIL APPROVAL: \_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_.

OWNERS

By: *Salvatore D. Mercurio*Salvatore D. Mercurio

Please Print or Type

CITY OF TROY

By: *Matt Pryor*

Matt Pryor, Mayor

*Tonni D. Bartholomew*

Tonni Bartholomew, City Clerk

Please Print or Type

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 29th day of April, A.D. 2003, before me personally appeared Salvatore D. Mercurio known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

*Laurel Nottage*NOTARY PUBLIC, *Oakland County* MichiganMy commission expires: 10-12-04

Detailed Summary of Required Escrow Deposits Cash Fees & Deposits  
Colleen Meadows Site Condominiums - Project No. 02.943.3  
20 Units - Section 12

**ESCROW DEPOSITS**

Sanitary Sewers	\$81,670
Water Mains	\$51,105
Storm Sewers	\$100,735
Rear Yard Drains	\$34,497
Pavement - CONCRETE (incl. Temp. Turnaround)	\$147,090
Grading	\$48,000
Detention Basin	\$11,166
Soil Erosion Control Measures	\$5,130
Monuments and Lot Corner Irons	\$775
Temporary Access Road	\$20,400
Sidewalks - ON SITE	\$1,650
Sidewalks - OFF SITE	\$3,900
Deposit for the Repair of Damage to Existing Public Streets Used for Access	\$12,000

**TOTAL ESCROW DEPOSITS (REFUNDABLE):** \$518,118

**CASH FEES (NON-REFUNDABLE):**

Water Main Testing and Chlorination	\$679
Street Name and Traffic Signs	\$493
Maintenance of Detention Basin	\$7,458
Soil Erosion and Sedimentation Control Permits	\$1,118
Testing Services	\$7,772
Engineering Review and Inspection	\$25,854

**TOTAL CASH FEES (NON-REFUNDABLE):** \$43,374

**CASH DEPOSITS (REFUNDABLE):**

Detention Basin Access Drive & Split Rail Fence; Emergency Access Drive	\$9,250
Deposit for Maintenance & Cleaning of Ex. Public Streets Used for Access	\$4,000
Landscape Deposit	\$4,998
Punchlist & Restoration Deposit	\$15,587

**TOTAL CASH DEPOSITS (REFUNDABLE):** \$33,835

Stormwater detention for this development will be provided by:  
a new detention basin on site

Engineer: Land Engineering Services, Inc.  
Developer: Golden Homes

## UNPLATTED RESIDENTIAL DEVELOPMENT LEVELS OF APPROVAL

### **Preliminary Plan Approval**

A sign is placed on the property informing the public of the proposed development.

Adjacent property owners are notified by mail

Public meeting held by **Planning Commission** for review and recommendation to City Council

**City Council** reviews and approves plan

The following items are addressed at Preliminary Plan Approval:

- Street Pattern, including potential stub streets for future development
- Potential development pattern for adjacent properties
- Fully dimensioned residential parcel layout, including proposed building configurations
  - Number of lots
  - Building setbacks
  - Lot dimensions
  - Locations of easements
- Preliminary sanitary sewer, storm sewer, and water main layout
- Environmental Impact Statement (if required)
- Location(s) of wetlands on the property

### **Final Plan Approval**

Notice sign is posted on site

**City Council** review and approval of:

- Final Plan
- Contract for Installation of Municipal Improvements (Private Agreement)

The following items are addressed at Final Plan Approval:

- Fully dimensioned plans of the total property proposed for development, prepared by registered Civil Engineer or Land Surveyor
- Corners of all proposed residential parcels and other points as necessary to determine that the potential parcels and building configurations will conform with ordinance requirements
- Warranty Deeds and Easement documents, in recordable form for all ROW. and easements which are to be conveyed to the public
- Construction plans for all utilities and street improvements, prepared in accordance with City Engineering Design Standards:
  - Sanitary and Storm sewer
  - Water mains
  - Detention / Retention basins
  - Grading and rear yard drainage
  - Paving and widening lanes
  - Sidewalk and driveway approaches
- Approval from other government agencies involved with the development
- Verification of wetlands and M.D.E.Q. permit if necessary
- Financial guarantees to insure the construction of required improvements and the placement of proper property and parcel monuments and markers shall be furnished by the petitioner prior to submittal of the Final Plan to the City Council for review and approval
- Floor Plans and Elevations of the proposed residential units

## **COMPARISON BETWEEN SITE CONDOMINIUMS AND PLATS**

The site condominium is a form of development that closely resembles the more traditional form of land subdivision known as a “subdivision” or a “plat”. Although both types of development have the same basic characteristics, site condominiums are a newer form of development and are not, therefore, as familiar to homebuyers and neighbors as the more customary plats. An important concept related to any type of condominium development is that condominiums are a form of OWNERSHIP, not a type of physical development.

The following summary is intended to compare and contrast the two types of development.

### **1. Comparisons between site condominiums and plats.**

- a. **Statutory Basis** – Site condominium subdivisions first became possible under the Michigan Condominium Act, which was adopted by the Michigan Legislature in 1978. Plats are created under the Michigan Land Division Act, formerly the Michigan Subdivision Control Act of 1967.
- b. **Nature and Extent of Property Ownership** – An individual homesite building in a platted subdivision is called a “lot”. In a site condominium, each separate building site or homesite is referred to by the Condominium Act as a “unit”. Each unit is surrounded by “limited common area”, which is defined as common elements reserved in the master deed for the exclusive use of less than all of the co-owners”. The remaining area in the site condominium is “general common area”, defined as the common elements reserved in the master deed for the use of all of the co-owners. The nature and extent of ownership of a platted lot and a condominium unit, with the associated limited common area, are essentially equivalent from both a practical and legal standpoint.
- c. **Compliance with Zoning Ordinance** – Both site condominiums and subdivisions are required to comply with the minimum requirements of the City of Troy Zoning Ordinance for area and bulk, including minimum lot size, lot width, setbacks and building height. Essentially, site condominiums and subdivisions in Troy must “look” similar.
- d. **Creation/Legal Document** – A site condominium is established by recording in the records of the county in which the land is located a master deed, bylaws and condominium subdivision plan (“plan”). A platted subdivision is created by the recording of a subdivision plat (“plat”), usually coupled with a declaration of easements, covenants, conditions and restrictions. The plan depicts the condominium units and limited and general common areas, while the plat defines the lots. Both have

substantially the same geometrical appearance and characteristics. The master deed and bylaws on the one hand and the declaration on the other have essentially the same functions with respect to the site condominium or platted subdivision, namely, establishment of: (i) building and use restrictions; (ii) rights of homeowners to use common areas; (iii) financial obligations of owners; and, (iv) procedures for operation of the subdivision.

- e. **Home Maintenance and Real Estate Taxes** – Each unit and lot, as respectively depicted on a condominium plan or subdivision plat, together with any home located thereon, are required to be individually maintained by the owner. Likewise, separate real estate taxes are assessed on each condominium unit or platted lot and paid individually by each homeowner.
- f. **Roads and Utilities** – In most plats, roads are dedicated to the public and maintained by the county road commission or the municipality in which the subdivision is located. Site condominium roads can be either public or private. Sanitary sewer and water supply are public in both. Storm water detention can vary between public and private dedication in both platted and condominium subdivisions.
- g. **Common Areas** – In a site condominium, general common areas, such as open space, entrance areas and storm drainage system, are owned by condominium unit owners in common as an incident of ownership of each unit. In a platted subdivision, legal title to common areas is owned by a homeowners association. In both forms of development, a homeowners association administers the common areas for the benefit of all homeowners equally.
- h. **Homeowners Association** – It is important in both types of development to incorporate a homeowners association comprised of all lot owners or unit owners, as the case may be, to maintain common areas, enforce restrictions and regulations, collect assessments and otherwise administer the common affairs of the development. Because the Condominium Act confers special enforcement powers upon homeowner associations, which are not characteristic of platted subdivision associations, it is generally thought that the condominium form is superior from the standpoint of enforcing rules and regulations of the private community.
- i. **Financial Obligations of Homeowners** – In both types of development, the homeowners association is given the power to assess property owners to pay for maintenance of all common areas and other expenses of administration. Failure to pay give rise to a lien on the defaulting owner's homesite thus providing financial security that the common areas will be properly maintained for the benefit of all homeowners.

- j. **Public Relations** – The same types of public health, safety and welfare regulations apply to both forms of development. Procedurally, the methods of applying for and obtaining plat or condominium plan approval are similar at the municipal level.
- k. **Unique Characteristics of Condominium Unit Purchase** – The Condominium Act provides special benefits for site condominium unit purchasers: (i) a 9-day period after signing a purchase agreement within which a purchaser may withdraw without penalty; and (ii) a requirement that all condominium documents, supplemented by an explanatory disclosure statement, be furnished to all purchasers at the time of entry into a purchase agreement. There are no similar benefits to purchasers provided under the Land Division Act.
- l. **Local and State Review** – Both development types require City Council approval, following a recommendation by the Planning Commission. Unlike subdivisions, site condominiums do not require the review and approval of the Michigan Department of Consumer and Industry Services. For this reason it can sometimes take a substantially shorter period of time to obtain necessary public approvals of site condominiums than platted subdivisions.

**2. Reason for choosing one form versus another.**

Developers and municipalities often prefer the site condominium approach because of better control of market timing. It should be emphasized that the site condominium choice never sacrifices any public protections that would otherwise be present in the case of a platted subdivision under similar circumstances.

**3. Conclusion.**

The platted subdivision approach and the newer site condominium technique are two different statutory methods of reaching essentially the same practical and legal result of subdividing real estate into separate residential building sites. Both methods are required to meet substantially the same public health, safety and welfare requirements. The site condominium is sometimes chosen over the platted subdivisions because of perceived benefits to purchasers, homeowners, and developers.

DATE: January 19, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manger/Services  
Steve Vandette, City Engineer  
Mark F. Miller, Planning Director

SUBJECT: AGENDA ITEM - FINAL PLAT APPROVAL – The Estates at Cambridge  
Subdivision, East Side of Beach Road, North of Wattles, Section 18, R-1B

Joe Cracchiolo submitted the Final Plat for The Estates at Cambridge Subdivision, consisting of 10 lots and a detention basin, within a 6.09-acre property. The subject property is on the east side of Beach Road and north of Wattles Road, in section 18. A shallow-sloped unfenced stormwater detention basin will be accessible via a service drive from Raven Wood Court, and will ultimately be conveyed to the City for maintenance, along with a maintenance deposit. On June 2, 2003, City Council granted Final Approval of the Preliminary Plat for this proposed subdivision. A summary of the plat approval process is enclosed for informational purposes.

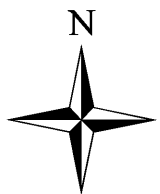
The City Engineer and the Planning Director reviewed this plat in accordance with Section 3.04 of the Subdivision Control Ordinance. The proposed Final Plat is consistent with the approved Final Preliminary Plat. Therefore, City Management recommends approval of the Final Plat of The Estates at Cambridge Subdivision (10 lots).

Attachments:

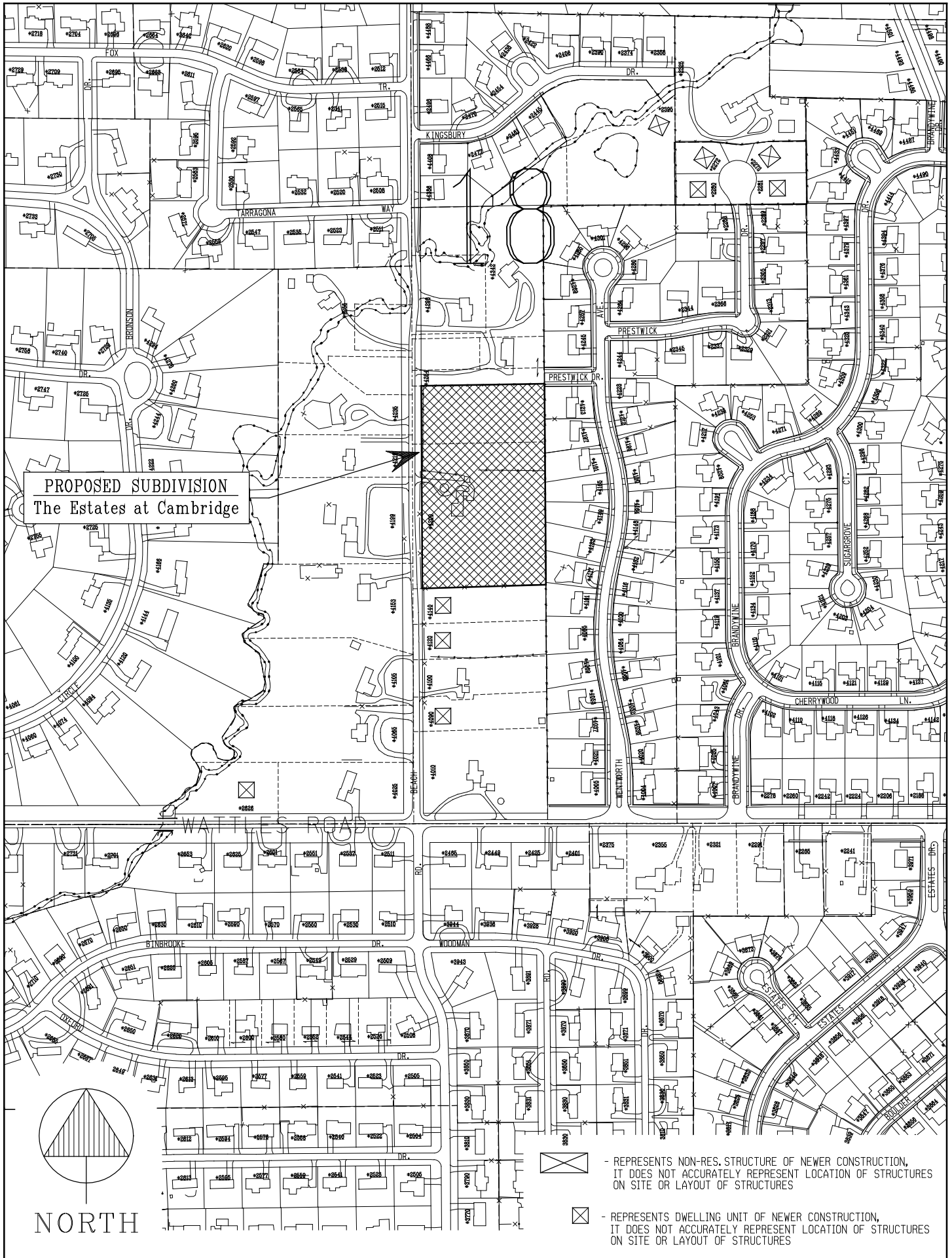
1. Maps
2. Platted Residential Development Levels of Approval
3. Comparison Between Site Condominiums and Plats

cc: Joe Cracchiolo  
File/ The Estates at Cambridge

# CITY OF TROY







LONG LAKE ROAD

ADAMS ROAD

R1A

R1B

18

PROPOSED SUBDIVISION  
The Estates at Cambridge

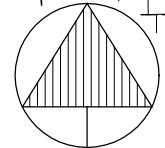
WATTLE ROAD

WATTLE ROAD

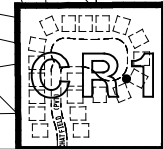
COOLIDGE ROAD

COOLIDGE ROAD

COOLIDGE ROAD



NORTH

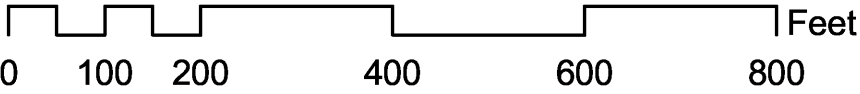


CJ-112

R1B



PROPOSED SUBDIVISION  
ESTATES AT CAMBRIDGE  
E SIDE BEACH, N OF WATTLES  
SEC. 18



## **PLATTED RESIDENTIAL DEVELOPMENT LEVELS OF APPROVAL**

### **Tentative Preliminary Plat Approval**

The following items are included in the **Tentative Approval** process:

- Existing Conditions
- Tree Preservation Plan
- Street layout
- Number of lots
- Building setbacks
- Lot dimensions
- Stub Street for possible future developments
- Locations of easements
- The Planning Department analyses the potential future development of the abutting property.
- The developer must provide locations of wetlands and natural features on the property and the method of preservation.
- An environmental impact statement is required if the development consists of 25 lots or more.
- A sign is placed on the property informing the public of the proposed development.
- A notice of the public meeting before Planning Commission is mailed to the abutting property owners.

### **Final Preliminary Plat Approval**

The following items are included in the **Preliminary Plat- Final Approval** process:

- Determine that all city development standards are met and complied with.
- Capacity of sanitary and storm sewers
- Size and location of Water mains
- Size and location of Detention / Retention basins
- Grading and rear yard drainage
- Paving and widening lanes
- Financial guarantees
- Sidewalk and driveway approaches
- Approval from other government agencies involved with the development.
- Verification of wetlands and M.D.E.Q. permit if necessary.
- Agreements, covenants or other documents for the dedication of land for public use or property owners use.

### **Final Plat Approval**

**Final Approval** checks for conformance with the approved Tentative and Final Preliminary Plats and that all property conveyances such as R.O.W, Easements, Open Space and Parks are in proper order.

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January 22, 2004

TO: The Honorable Mayor and Council Members

FROM: John Szerlag, City Manager

SUBJECT: Request for Study Session to Discuss Council Members' Responses During Individual Meetings with City Manager

Delineated below is a compilation of responses received during our individual meetings. When possible I have made the responses interest-based so as to combine similar philosophies of some Council members. As such, please let me know if you would like to make an addition to this compilation so that we may discuss that issue(s) as well.

- 1) What do you want the City of Troy to excel at 5, 10 and 20 years from now?

RESPONSES:

- Balanced tax rate; high level of service, quality schools, high property values, and high quality of life.
- A financially secure and economically viable city. Focus on redevelopment efforts and in particular the Maple Road corridor. The master land use plan should be adhered to as we strive to keep property values high.
- Continue to remain one of America's safest cities, as well as being an annual recipient of the life safety award for our Fire Department. We should be mindful to maintain quality preservation of open space, and economic vitality. We should strive for excellent infrastructure with a high standard of quality of life services. We should also have a strong property maintenance code, which keeps property values up. Also, we need to be careful on issuing density bonuses without a corresponding benefit to the community.
- We are a stellar community and should strive to maintain it in that fashion.
- We need to reinvent ourselves from within and calibrate focus to changes in demographics and community needs.



**Council Members' Responses During Individual  
Meetings with City Manager  
January 22, 2004  
Page Two**

- We need to maintain the spirit of volunteerism for the Fire Department, as well as outside organizations managing recreation programs like baseball boosters, and Troy Cowboys.
  - Recreation program, including cricket, should be handled whereby players assume most of the costs.
  - We should be producing the highest level of service at the most efficient cost, with Management to operationally define efficiency. We should continue to examine privatization with public/private partnerships. Operating more efficiently could include consolidation of functions/services.
  - Lower millage rate.
  - Troy to become the IT capital of Oakland County as well as the invention capital. The DDA and SMARTzone projects heretofore reach fruition and enhance/sustain economic development.
  - Continual improvement of alternate methods of transportation such as bike trails, sidewalks, and street construction. Encourage public/private partnerships in this regard.
  - Ultimately, Troy is Oakland County's destination point to live, work, and play. There will be outstanding infrastructure improvements and advancements made toward a functional mass transit system.
- 2) How do you feel about transferring the debt service millage to operating millage, without increasing the overall rate of 9.45 mils?

**RESPONSES:**

- Two members responded "yes".
- One member responded with a conditional "yes", as opposed to borrowing from reserves. However, Management needs to illustrate the impact of the components that make up the General Fund budget.

**Council Members' Responses During Individual Meetings with City Manager**  
**January 22, 2004**  
**Page Three**

- Four members responded "no". However, three members indicated that the .75 mils could be kept for further bonding/reserving of capital projects. One member indicated to look at an increase in fees, and bonded infrastructure projects should be approved by the voters, which is already the case.
- 3) City Management believes that we should ideally maintain a fund balance of 17% but not drop below 10%. What is your opinion on this?

**RESPONSES:**

- One member indicated that dropping Fund Balance to 5% is OK, so long as we do not adversely affect our high standard of operating the City.
  - Four members indicated that 10% is OK with the various qualifications;
    - Do not raise taxes in order to achieve it
    - Funding should be included in the Budget Stabilization Fund
    - Any increases over 10% to the Fund Balance should be transferred to the Budget Stabilization Fund
- 4) Is it more important to:
- a. Maintain the same level of service, even if it means a tax increase within our authorized limit, or
  - b. Reduce the level of service in order to maintain the overall rate of 9.45 mils?

**RESPONSES:**

- It's OK to raise taxes as long as we operate in the most efficient fashion.
- We should prioritize all services and then look at fees to maintain some services, and cut other services in the lower end of priorities. If that results in a level of service that's undesirable, then taxes could be raised.

**Council Members' Responses During Individual  
Meetings with City Manager  
January 22, 2004  
Page Four**

- It's OK to have a tax increase but we must also prioritize services and be innovative. Additionally, we should strive for cooperation with the school district to share services.
  - For quality of life services, there should be an increase in fees before an increase in taxes.
  - For non-essential/quality of life services, fees should be increased or perhaps a decrease in level of service. It may be OK to increase taxes for essential services. In any event, a business case should be included justifying any increase in fees. We should also look at staffing levels and plan for future efficiencies.
  - There should be another alternative "c." to raise fees appropriately for non-essential services; and have an increase in taxes for essential services.
  - There should be another category to respond to that pertains to revenue/cost improvements. An example is looking at DDA spending reductions if the voters turn down the authority to construct a conference/hotel facility. We should also strive to change the property tax law to enable assessments to increase in conjunction with occupancy increases. Further, productivity efficiencies could be measured in terms of bond rating, full-time employees per capita, citizen survey results, measurables to private sector when applicable, privatization.
- 5) In a general sense, please prioritize capital expenditures in terms of:
- a. Infrastructure
  - b. IT improvements
  - c. Park development

**RESPONSES:**

- All of you indicated that infrastructure was a top priority.
- Four of you indicated that IT improvements are the second priority with one person indicating that IT and park improvements are tied for second place. One of you indicated that IT improvements are third.

**Council Members' Responses During Individual  
Meetings with City Manager  
January 22, 2004  
Page Five**

- Two of you believe park development is the second priority and four of you believe it's the third priority.

6) What's the one thing we do as an organization that you're most proud of?

RESPONSES:

- Public safety (Police/Fire). We provide great leadership in the County and State and also a high degree of ancillary services like home inspections when residents are on vacation. We practice high customer service and invest in training.
- Extremely proud of community per say, as well as professional staff.
- Three members responded with the volunteer fire department.
- Culture of professionalism with special emphasis on responsiveness and customer service.
- Volunteerism, in particular, the Fire Department and Boards and Committees. Pleased that this spirit is encouraged by professional staff.

7) What's one thing that you'd like to see us do better?

RESPONSES:

- Be the IT leader in Oakland County. Achieve more financial independence from the State of Michigan. A portion of the hotel tax should stay in Oakland County/City. Troy should also look into having our State reps push for home rule cities keeping part of the sales tax.
- Committee appointments to represent a better cross-section of our community.
- Lower spending.
- Proactive in planning for future needs of the City and changing demographic.

**Council Members' Responses During Individual Meetings with City Manager**  
**January 22, 2004**  
**Page Six**

- More focused on long-term planning; determining a preferred future for the City and staying with it; responsibility of the Manager and veteran Council Members to assist new Council Members to buy-in for future vision.
- Consistency of message and implementation of stated goals.
- More productive Council meetings through concise communications

8) What's one thing we're not doing that you'd like to see us be known for?

RESPONSES:

- Public should be made cognizant that professionals run the City and should be contacted first when issues are to be addressed.
- Better training and professional development for staff.
- Nothing, as we're currently doing very well with our current slate of services.
- Regional approach to service delivery.
- Innovative approaches to public/private partnerships with emphasis in the areas of land use and transportation.
- Innovative in delivery of information over the Internet; on-line registration for all programming.
- Enhanced organization to meet consumer demands/changing demographics on both business and residential plains.
- Enhanced quality of life services.

**Council Members' Responses During Individual  
Meetings with City Manager  
January 22, 2004  
Page Seven**

- 9) What else would you like to discuss that pertains to the City of Troy as an organization, City Council, or the Council/Manager partnership?

RESPONSES:

- Look into ratio of condos to single family structures as it appears we are building too many condos.
- Strive for no direct competition with private businesses based in City.
- Promote competition for water supply.
- Reduce DDA budget if conference/hotel facilities are not approved and return monies to taxing jurisdictions.
- Continue philosophy of compliance before conviction.
- Promote ownership of tasks by employees.
- We do very well with what we have, but we need to produce business cases to justify cost increases.
- Joint meetings with school board, and Chamber. Manager and Assistant Managers to attend NLC and MML conferences.
- Continued professional development of Manager.
- Proper relationship of Mayor/Council to Manager.
- Continue to implement technology changes so long as it promotes efficiency of operations.
- Management to represent City on SOCRRA board.
- Fact sheet for Troy relative to heritage milestones for our last 50 years.
- Strengthen Council/Manager partnership.

**Council Members' Responses During Individual  
Meetings with City Manager  
January 22, 2004  
Page Eight**

You have all provided enough topics for discussion for several study sessions. However, the issues brought up in questions 2) through 5) are germane to our budgetary process. As such, I'm proposing a study session for February 9, 2004 to further discuss these topics; hopefully to a cohesive conclusion.


One salient difference between your responses this year compared to previous years pertains to funding of essential services versus quality of life services. Assuming an efficiency of operation, the trend seems to be a willingness to consider a tax rate increase for essential services, but to look at fee increases, and perhaps a reduction in quality of life services.

Given the above, we may wish to discuss the feasibility of asking the voters to consider a dedicated millage for Parks and Recreation, and a dedicated millage for the Library. Using the Library as a brief example, the net annual operating expenses are roughly \$4 million. This is equivalent to about one mil.

In closing, I wish to thank all of you for taking time out of your schedule to meet with me in our quest to guide the community of Troy to a preferred future.

DATE: January 21, 2004

TO: John Szerlag, City Manager

FROM: Gary A. Shripka, Assistant City Manager/Services  
Mark Stimac, Director of Building and Zoning 

SUBJECT: Sign Permits for the Existing Building  
2795 E. Maple Road

I am writing in response to an inquiry from Mayor Matt Pryor regarding the cost of permit fees for the sign package at 2795 E. Maple. It is my understanding that the tenant complained to the Mayor that the fees totaling \$900 for the nine Sign Permits were excessive.

By way of background information, Building Department staff and a representative from Sign Art, the sign contractor, met several times to discuss the regulations regarding permitted signage, the awning they proposed to install on 3 walls of the building, and the process involved in obtaining necessary permits. Contacts began in approximately mid-October, 2003, and continued until the nine Sign Permits were issued on December 23, 2003. The following is a brief history on the matter:

In mid-October, Ralph, from Sign Art, visited the Building Department to inquire about signage. I recall the discussion was extensive and detailed, partly due to the constraints involved when dealing with the existing building that is both a legal non-conforming structure and contains a legal non-conforming use.

The existing building is located in a single-family residential zone but has for some time been used as a business. In addition, as the building is located right at the front property line and does not comply with setback requirements from E. Maple it is classified as a legal non-conforming structure. As such, the projection of an awning beyond the existing overhang on the south building wall is prohibited. I recall that Director of Building and Zoning, Mark Stimac, also spoke directly to Ralph, and answered his questions. Subsequently, Housing & Zoning Inspector Marlene Struckman, was sent to the site to take measurements and confirm the information we provided to Ralph was precise.

A short time later Ralph submitted plans for signs and the awning, which did not comply with the ordinance. The total square footage of the signs exceeded the 42 square feet



maximum provided for in the Sign Ordinance for a building of this size, and the projection on the awnings exceeded the 24" that the existing overhang projected from the south wall of the building. In addition, the applications and plans were incomplete with relation to necessary dimensions and data. We sent Marlene Struckman out again to the site to attempt to obtain/confirm the missing information from the permit application. I contacted Ralph by phone and discussed again the regulations.

Ralph later visited the Department and we discussed permitted signage, how we determine the size of signs, and additional submittal details. The Sign ordinance establishes a maximum permitted area of wall signs for a building based upon a percentage of the building size. The ordinance allows the owner the option of installing one sign of the maximum area or installing multiple signs that would have a total area of less than the maximum. In this case, the petitioner chose to divide the allowable signage area amongst nine signs. I specifically discussed with Ralph the need to obtain a separate permit and relevant plans for each of the signs on the canopy in order for the area between the signs not to be counted against the allowable signage area. In addition, I provided other options, such as eliminating spacing between the signs, stacking, or reconfiguring information so as to reduce the calculated size of the signs and allowing a reduction in the number of permits required.

Ralph later resubmitted information that was incomplete; however, the amount of signage was reduced. I contacted his office by phone again and requested drawings that provided dimensions on the plans, etc.

After additional contacts with Ralph and with his assistant, by phone, he submitted the appropriate documentation on December 11, 2003. I reviewed the applications and plans and approved them on December 12, 2003. We notified the contractor of the approval, quoted the fees, and on December 23, 2003, Ralph visited the Department and paid for and obtained the permits. He discussed the amount of the fees at that time and he appeared to be surprised at the costs. It should be noted that the fee schedule for the permits appears on the Sign Permit Applications that he filled out.

In summary, members of this department provided a tremendous amount of service to the sign contractor, who in turn took the information and designed the sign package.

30'

48"  
13" **NEXTEL**  
AUTHORIZED REPRESENTATIVE

30"  
10" **@ wireless**

60"  
12" **T-Mobile**



*We Appreciate  
Your Business*

1. File Name : the wireless  
2. Date : 9 - 30 - 03  
3. Address : 2795 maple rd.  
4. Phone # :

5. sign sq. ft. :  
6. faces : vinyl  
7. structure : steel  
8. lighting : flourescent

notes :

**ARTONE SIGN**

Tel: (248) 591-ART1

8915 Northend, Royal Oak Twp., Mi, 48220

Copy Right By Art One

25'

4'

48"  
13" **NEXTEL**  
AUTHORIZED REPRESENTATIVE

58"  
13"  **AT&T Wireless**

60"  
12"  **T-Mobile**



*We Appreciate  
Your Business*

1. File Name : the wireless  
2. Date : 9 - 30 - 03  
3. Address : 2795 maple rd.  
4. Phone # :

5. sign sq. ft. :  
6. faces : vinyl  
7. structure : steel  
8. lighting : flourescent

notes :

**ARTONE SIGN**

Tel: (248) 591-ART1  
8915 Northend, Royal Oak Twp., MI, 48220  
Copy Right By Art One

# City of Troy

## Sign Permit No: PSG2003-0463

Building Department  
Phone: (248) 524-3344

500 W. Big Beaver Road  
Fax: (248) 689-3120

Troy, Michigan 48084  
Hours: Mon-Fri 8am - 4:30pm

2795 E MAPLE 88-20-25-479-034  Zoning: R-1E	Location	SISTERS THREE LLC 14053 TALBOT WARREN MI 48095	Owner	
Issued: 12/23/2003		ART ONE SIGN ART ONE SIGN 8915 NORTHEEND AVE FERNDAL MI 48220 248 591 2781		Applicant
FOR REQUIRED INSPECTIONS - CALL (248) 689-5744 Inspections called in by 6:00 A.M. will be scheduled the same day.				

Work Description  
5' x 1' = 5 SF WALL SIGN, ILLUMINATED, (SOUTH ELEVATION)  
T-MOBILE

Stipulations  
PREVIOUSLY REFERRED TO JVS FOR ELECTRICAL INSTALLED  
WITHOUT PERMIT.

Work will meet all codes and inspections.

Paid	Permit Item	Work Type	Fee Basis	Item Total
At Issue	Wall-Struct. Attached	Signs	5.00	\$100.00

Total Due: 100.00



\*PSG2003-0463%PSG%100.00\*

Payment Validation

**PAID**

DEC 23 2003

CITY OF TROY  
TREASURER'S OFFICE

This permit is issued subject to the Building Code, Zoning Ordinance and all other Ordinances of the City of Troy.

A separate permit must also be obtained for any electrical work.

This permit conveys no right to occupy any street or public right-of-way, either temporarily or permanently.

[ ] TREASURER COPY

[ ] DEPARTMENT COPY

[ ] CONTRACTOR COPY



# City of Troy

## Sign Permit No: PSG2003-0460

Building Department  
Phone: (248) 524-3344

500 W. Big Beaver Road  
Fax: (248) 689-3120

Troy, Michigan 48084  
Hours: Mon-Fri 8am - 4:30pm

2795 E MAPLE  
88-20-25-479-034

Location

Zoning: R-1E

SISTERS THREE LLC

Owner

14053 TALBOT

WARREN

MI 48095

Issued: 12/23/2003

**FOR REQUIRED INSPECTIONS - CALL (248) 689-5744**  
*Inspections called in by 6:00 A.M. will be  
scheduled the same day.*

ART ONE SIGN

Applicant

ART ONE SIGN

8915 NORTHEAST AVE

FERNDAL

MI 48220

248 591 2781

Work Description

5' x 1' = 5 SF WALL SIGN, ILLUMINATED, (WEST ELEVATION)  
T-MOBILE

Stipulations

Work will meet all codes and inspections.

Paid	Permit Item	Work Type	Fee Basis	Item Total
At Issue	Wall-Struct. Attached	Signs	5.00	\$100.00

**Total Due: 100.00**



\*PSG2003-0460%PSG%100.00\*

Payment Validation

**PAID**

DEC 23 2003

**CITY OF TROY  
TREASURER'S OFFICE**

This permit is issued subject to the Building Code, Zoning Ordinance and all other Ordinances of the City of Troy.

A separate permit must also be obtained for any electrical work.

This permit conveys no right to occupy any street or public right-of-way, either temporarily or permanently.

[ ] TREASURER COPY

[ ] DEPARTMENT COPY

[ ] CONTRACTOR COPY

# City of Troy

## Sign Permit No: PSG2003-0462

Building Department  
Phone: (248) 524-3344

500 W. Big Beaver Road  
Fax: (248) 689-3120

Troy, Michigan 48084  
Hours: Mon-Fri 8am - 4:30pm

2795 E MAPLE  
88-20-25-479-034

Location

Zoning: R-1E

SISTERS THREE LLC

Owner

14053 TALBOT

WARREN

MI 48095

Issued: 12/23/2003

**FOR REQUIRED INSPECTIONS - CALL (248) 689-5744**

**Inspections called in by 6:00 A.M. will be  
scheduled the same day.**

ART ONE SIGN

Applicant

ART ONE SIGN

8915 NORTHEAST AVE

FERNDAL

MI 48220

248 591 2781

Work Description

4.83' x 1.08' = 5.2 SF WALL SIGN, ILLUMINATED, (EAST ELEVATION)  
AT & T WIRELESS

Stipulations

Work will meet all codes and inspections.

Paid	Permit Item	Work Type	Fee Basis	Item Total
At Issue	Wall-Struct. Attached	Signs	5.20	\$100.00

**Total Due: 100.00**



\*PSG2003-0462%PSG%100.00\*

Payment Validation

**PAID**

**DEC 23 2003**

**CITY OF TROY  
TREASURER'S OFFICE**

This permit is issued subject to the Building Code, Zoning Ordinance and all other Ordinances of the City of Troy.

A separate permit must also be obtained for any electrical work.

This permit conveys no right to occupy any street or public right-of-way, either temporarily or permanently.

[ ] TREASURER COPY

[ ] DEPARTMENT COPY

[ ] CONTRACTOR COPY

# City of Troy

## Sign Permit No: PSG2003-0464

Building Department  
Phone: (248) 524-3344

500 W. Big Beaver Road  
Fax: (248) 689-3120

Troy, Michigan 48084  
Hours: Mon-Fri 8am - 4:30pm

2795 E MAPLE 88-20-25-479-034  Zoning: R-1E	Location	SISTERS THREE LLC 14053 TALBOT WARREN MI 48095	Owner	
Issued: 12/23/2003		ART ONE SIGN ART ONE SIGN 8915 NORTHEAST AVE FERNDAL MI 48220 248 591 2781		Applicant
FOR REQUIRED INSPECTIONS - CALL (248) 689-5744 Inspections called in by 6:00 A.M. will be scheduled the same day.				

### Work Description

4' X 1.08' = 4.32 SF WALL SIGN, ILLUMINATED (SOUTH ELEVATION)  
NEXTEL AUTHORIZED REPRESENTATIVE

### Stipulations

Work will meet all codes and inspections.

Paid	Permit Item	Work Type	Fee Basis	Item Total
At Issue	Wall-Struct. Attached	Signs	4.32	\$100.00

**Total Due: 100.00**



\*PSG2003-0464%PSG%100.00\*

Payment Validation

# PAID

DEC 23 2003

CITY OF TROY  
TREASURER'S OFFICE

This permit is issued subject to the Building Code, Zoning Ordinance and all other Ordinances of the City of Troy.

A separate permit must also be obtained for any electrical work.

This permit conveys no right to occupy any street or public right-of-way, either temporarily or permanently.

[ ] TREASURER COPY

[ ] DEPARTMENT COPY

[ ] CONTRACTOR COPY

# City of Troy

## Sign Permit No: PSG2003-0458

Building Department  
Phone: (248) 524-3344

500 W. Big Beaver Road  
Fax: (248) 689-3120

Troy, Michigan 48084  
Hours: Mon-Fri 8am - 4:30pm

2795 E MAPLE 88-20-25-479-034  Zoning: R-1E	Location	SISTERS THREE LLC 14053 TALBOT WARREN MI 48095	Owner	
Issued: 12/23/2003		ART ONE SIGN ART ONE SIGN 8915 NORTHEAST AVE FERNDAL MI 48220 248 591 2781		Applicant
FOR REQUIRED INSPECTIONS - CALL (248) 689-5744 Inspections called in by 6:00 A.M. will be scheduled the same day.				

### Work Description

4' x 1.08 = 4.3 SF WAL SIGN, ILLUMINATED, (WEST ELEVATION)  
NEXTEL AUTHORIZED REPRESENTATIVE

### Stipulations

Work will meet all codes and inspections.

Paid	Permit Item	Work Type	Fee Basis	Item Total
At Issue	Wall-Struct. Attached	Signs	4.30	\$100.00

**Total Due: 100.00**



\*PSG2003-0458%PSG%100.00\*

Payment Validation

**PAID**

DEC 23 2003

**CITY OF TROY  
TREASURER'S OFFICE**

This permit is issued subject to the Building Code, Zoning Ordinance and all other Ordinances of the City of Troy.

A separate permit must also be obtained for any electrical work.

This permit conveys no right to occupy any street or public right-of-way, either temporarily or permanently.

[ ] TREASURER COPY

[ ] DEPARTMENT COPY

[ ] CONTRACTOR COPY



# City of Troy

## Sign Permit No: PSG2003-0461

Building Department  
Phone: (248) 524-3344

500 W. Big Beaver Road  
Fax: (248) 689-3120

Troy, Michigan 48084  
Hours: Mon-Fri 8am - 4:30pm

2795 E MAPLE  
88-20-25-479-034

Location

Zoning: R-1E

SISTERS THREE LLC

Owner

14053 TALBOT

WARREN

MI 48095

Issued: 12/23/2003

**FOR REQUIRED INSPECTIONS - CALL (248) 689-5744**  
*Inspections called in by 6:00 A.M. will be  
scheduled the same day.*

ART ONE SIGN

Applicant

ART ONE SIGN

8915 NORTHEAST AVE

FERNDAL

MI 48220

248 591 2781

### Work Description

4.67' X 1.17' = 5.46 SF WALL SIGN, ILLUMINATED (EAST ELEVATION)  
VERIZON WIRELESS AUTHORIZED AGENT

### Stipulations

Work will meet all codes and inspections.

Paid	Permit Item	Work Type	Fee Basis	Item Total
At Issue	Wall-Struct. Attached	Signs	5.46	\$100.00

**Total Due: 100.00**



\*PSG2003-0461%PSG%100.00\*

Payment Validation

**PAID**

DEC 23 2003

**CITY OF TROY  
TREASURER'S OFFICE**

This permit is issued subject to the Building Code, Zoning Ordinance and all other Ordinances of the City of Troy.

A separate permit must also be obtained for any electrical work.

This permit conveys no right to occupy any street or public right-of-way, either temporarily or permanently.

[ ] TREASURER COPY

[ ] DEPARTMENT COPY

[ ] CONTRACTOR COPY

# City of Troy

## Sign Permit No: PSG2003-0457

Building Department  
Phone: (248) 524-3344

500 W. Big Beaver Road  
Fax: (248) 689-3120

Troy, Michigan 48084  
Hours: Mon-Fri 8am - 4:30pm

2795 E MAPLE 88-20-25-479-034  Zoning: R-1E	Location	SISTERS THREE LLC 14053 TALBOT WARREN MI 48095	Owner
--	----------	--	-------

Issued: 12/23/2003	ART ONE SIGN ART ONE SIGN 8915 NORTHEAST AVE FERNDAL MI 48220 248 591 2781	Applicant
<b>FOR REQUIRED INSPECTIONS - CALL (248) 689-5744</b> <i>Inspections called in by 6:00 A.M. will be scheduled the same day.</i>		

### Work Description

2.5' X .83 = 2 SF WALL SIGN, ILLUMINATED, (SOUTH ELEVATION)  
THE WIRELESS STORE

### Stipulations

Work will meet all codes and inspections.

Paid	Permit Item	Work Type	Fee Basis	Item Total
At Issue	Wall-Struct. Attached	Signs	2.00	\$100.00

**Total Due: 100.00**



\*PSG2003-0457%PSG%100.00\*

Payment Validation

**PAID**

DEC 23 2003

**CITY OF TROY  
TREASURER'S OFFICE**

This permit is issued subject to the Building Code, Zoning Ordinance and all other Ordinances of the City of Troy.

A separate permit must also be obtained for any electrical work.

This permit conveys no right to occupy any street or public right-of-way, either temporarily or permanently.

[ ] TREASURER COPY

[ ] DEPARTMENT COPY

[ ] CONTRACTOR COPY

# City of Troy

## Sign Permit No: PSG2003-0459

Building Department  
Phone: (248) 524-3344

500 W. Big Beaver Road  
Fax: (248) 689-3120

Troy, Michigan 48084  
Hours: Mon-Fri 8am - 4:30pm

2795 E MAPLE 88-20-25-479-034  Zoning: R-1E	Location	SISTERS THREE LLC 14053 TALBOT WARREN MI 48095	Owner	
Issued: 12/23/2003		ART ONE SIGN ART ONE SIGN 8915 NORTHEEND AVE FERNDAL MI 48220 248 591 2781		Applicant
FOR REQUIRED INSPECTIONS - CALL (248) 689-5744 Inspections called in by 6:00 A.M. will be scheduled the same day.				

### Work Description

4.83' x 1.08' = 5.2 SF WALL SIGN, ILLUMINATED, (WEST ELEVATION)  
AT & T WIRELESS

### Stipulations

Work will meet all codes and inspections.

Paid	Permit Item	Work Type	Fee Basis	Item Total
At Issue	Wall-Struct. Attached	Signs	5.20	\$100.00

**Total Due: 100.00**



\*PSG2003-0459%PSG%100.00\*

Payment Validation

**PAID**  
DEC 23 2003  
CITY OF TROY  
TREASURER'S OFFICE

**PAID**  
DEC 23 2003  
CITY OF TROY  
TREASURER'S OFFICE

This permit is issued subject to the Building Code, Zoning Ordinance and all other Ordinances of the City of Troy.

A separate permit must also be obtained for any electrical work.

This permit conveys no right to occupy any street or public right-of-way, either temporarily or permanently.

[ ] TREASURER COPY

[ ] DEPARTMENT COPY

[ ] CONTRACTOR COPY

# City of Troy

## Sign Permit No: PSG2003-0465

Building Department  
Phone: (248) 524-3344

500 W. Big Beaver Road  
Fax: (248) 689-3120

Troy, Michigan 48084  
Hours: Mon-Fri 8am - 4:30pm

<b>Location</b> 2795 E MAPLE 88-20-25-479-034  Zoning: R-1E	<b>Owner</b> SISTERS THREE LLC 14053 TALBOT WARREN MI 48095
<b>Issued:</b> 12/23/2003  <b>FOR REQUIRED INSPECTIONS - CALL (248) 689-5744</b> <i>Inspections called in by 6:00 A.M. will be scheduled the same day.</i>	<b>Applicant</b> ART ONE SIGN ART ONE SIGN 8915 NORTHEND AVE FERNDALE MI 48220 248 591 2781

Work Description  
4.17' x 1.08' = 4.5 SF WALL SIGN, ILLUMINATED, (EAST ELEVATION)  
SPRINT

### Stipulations

Work will meet all codes and inspections.

Paid	Permit Item	Work Type	Fee Basis	Item Total
At Issue	Wall-Struct. Attached	Signs	4.50	\$100.00

**Total Due: 100.00**



\*PSG2003-0465%PSG%100.00\*

Payment Validation

**PAID**

DEC 23 2003

CITY OF TROY  
TREASURER'S OFFICE

This permit is issued subject to the Building Code, Zoning Ordinance and all other Ordinances of the City of Troy.

A separate permit must also be obtained for any electrical work.

This permit conveys no right to occupy any street or public right-of-way, either temporarily or permanently.

[ ] TREASURER COPY

[ ] DEPARTMENT COPY

[ ] CONTRACTOR COPY



*We Appreciate  
Your Business*

1. File Name : the wireless  
2. Date : 9 - 30 - 03  
3. Address : 2795 maple rd.  
4. Phone # :

5. sign sq. ft. :  
6. faces : vinyl  
7. structure : steel  
8. lighting : flourescent

notes :

**ARTONE SIGN**

Tel: (248) 591-ART1

8915 Northend, Royal Oak Twp., MI, 48220

Copy Right By Art One



MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

G-01a

300 N. WASHINGTON SQ.  
LANSING, MI 48913

CUSTOMER  
CONTACT CENTER  
517 373 9808

WWW.MICHIGAN.ORG

January 12, 2004

John Szerlag, City Manager  
City of Troy  
500 West Big Beaver  
Troy, Michigan 48084

RECEIVED

JAN 13 2004

CITY OF TROY  
CITY MANAGER'S OFFICE

Dear John:

Thanks again for the wonderful morning in Troy, and for pulling everybody together for the economic development briefing.

I was especially impressed with your presentation relative to your proposed conference center. Obviously, the Michigan Economic Development Corporation (MEDC) and I are very supportive of any effort to enhance the travel and tourism industry in our state. I was thankful that you had Senator Johnson and Representative Pappageorge in the meetings. They seem to have a very good understanding of the magnitude of this project. I've been on board with the MEDC for two months and I've already had several projects identified that have caught my interest.

I have discussed your proposed project and State funding request with my Team, and they have informed me of the various issues that will need to be addressed. The issue of what is being considered for Cobo is a major factor for your proposal and what funds can be generated to consider both facilities. You outlined several very unique ideas on possible funding sources, and it looks like these ideas will need State and local legislative approvals. As I mentioned in our meeting, the \$40 million dollar request will need State legislative support and this will be an essential step in the funding process. I would assume the Senator and Representative will be taking the lead in that regard. I'm sure they will also be briefing the Governor's Office on the specifics of your funding request, and we can discuss this aspect in our next meeting. The MEDC can be an excellent vehicle to channel funds to your project, but without an appropriation of funds from the legislature, we won't be able to deliver on your actual request.

I am learning quickly, and when we meet in January, we can more clearly outline your financial plan.

EXECUTIVE COMMITTEE

MATTHEW P. CULLEN

Chair  
General Motors

PHILIP H. POWER

Vice Chair  
HomeTown Communications  
Network

DONALD E. JAKWAY

President & CEO

RICHARD E. BLOUSE JR., CCE

Detroit Regional Chamber

FACUNDO BRAVO

UniBoring Co., Inc.

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Stryker Corporation

DR. DAVID E. COLE

Center for  
Automotive Research

JOANN CRARY

Saginaw Future Inc.

STEVEN K. HAMP

The Henry Ford

HAYDEN H. HARRIS

EDF Ventures

PAUL HILLEGONDS

Detroit Renaissance

DAVID HOLLISTER

Michigan Department of  
Labor & Economic Growth

GEORGE JACKSON JR.

Detroit Economic Growth  
Corporation

MICHAEL J. JANDERNOA

Bridge Street Capital  
Partners, LLC

MAYOR ROBERT B. JONES

City of Kalamazoo

BIRGIT M. KLOHS

The Right Place, Inc.

DR. IRVIN D. REID

Wayne State University

S. MARTIN TAYLOR

DTE Energy Company

GARY TORGOW

Sterling Group

PETER S. WALTERS

Guardian Industries Corp.



John Szerlag, City Manager  
Page two  
January 12, 2004

I hope you had a great holiday, and I look forward to working with you in the future.

Best wishes for the new year.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan".

Donald E. Jakeway  
President and CEO

cc: Senator Shirley Johnson  
Representative John Pappageorge  
Mayor Matt Pryor  
David Hollister  
George Zimmermann  
Jim McBryde



# January 2004

January 2004						
S	M	T	W	T	F	S
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February 2004						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
			January 1, 04 New Years Holiday-City Offices Cl	2	3
					4
5	6	7	8	9	10
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:00pm EthnicIssues (Conference Room C) 7:30pm Planning/Study (CouncilBd Room)	8:30am BldgCdAppeals (Conference Rm LL) 7:00pm Persons w/Dis (Conference Rm LL) 8:00pm Council Study Session (Council Boardroom)	10:00am SeniorCitizens (CommCtr) 7:30pm LibraryBd (Library) 7:30pm Parks and Rec (CommCtr)		11
12	13	14	15	16	17
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Planning (CC)	3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda)			18
19	20	21	22	23	24
Candidate Filing Deadline @ 4:00	12:00pm City Council-Special Meeting (Council Boardroom) 7:30pm Historic District (Conference Room C) 7:30pm BdZoningAp (CC)	7:30am DDA (Conference Rm LL) 7:00pm TYC (CommCtr)	7:30am Act 78 (Conference Room Lower Level)		25
26	27	28	29	30	31
7:30pm City Council-Regular (Council Chambers)	7:30pm Troy Daze Advisory Bd (CommCtr) 7:30pm Historical Commission (Troy Museum) 7:30pm Planning/Study (CouncilBd Room)	7:30pm CCPTF (CouncilBd Room)			



# February 2004

February 2004						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29						

March 2004						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					February 1
2	3	4	5	6	7
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:00pm EthnicIssues (Council Boardroom) 7:30pm Planning/Study (CouncilBd Room)	8:30am BldgCdAppeals (Conference Rm LL) 7:00pm Persons w/Dis (Conference Rm LL)	10:00am SeniorCitizens (CommCtr)		8
9	10	11	12	13	14
	7:30pm Planning (CC)	3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda)	7:30pm LibraryBd (Library) 7:30pm Parks and Rec (CommCtr)		15
16	17	18	19	20	21
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Historic District (Conference Room C) 7:30pm BdZoningAp (CC)	7:30am DDA (Conference Rm LL) 7:30pm Liquor Violation Hearings (Council Chambers)			22
23	24	25	26	27	28
7:30pm City Council-Regular (Council Chambers)	7:30pm Troy Daze Advisory Bd (CommCtr) 7:30pm Historical Commission (Troy Museum) 7:30pm Planning/Study (CouncilBd Room)	7:00pm TYC (Conference Rm LL) 7:30pm Liquor Violation Hearings (Council Chambers)	7:00pm Act 78 (Council Boardroom)		29

# March 2004

March 2004						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April 2004						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
March 1	2	3	4	5	6
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	1:00pm Bd of Review 7:00pm EthnicIssues (Conference Room C) 7:30pm Planning/study (CouncilBd Room)	8:30am BldgCdAppeals (Conference Rm LL) 7:00pm Persons w/Dis (Conference Rm LL)	10:00am SeniorCitizens (CommCtr)		
					7
8	9	10	11	12	13
9:00am Bd of Review	1:00pm Bd of Review 7:30pm Planning (CC)	3:00pm ERS Meeting - Conf Room C (room has already been booked) (agenda)	7:30pm LibraryBd (Library) 7:30pm Parks and Rec (CommCtr)		
					14
15	16	17	18	19	20
7:30pm City Council-Regular (Council Chambers) 7:30pm Tentative Study Session (Council Boardroom)	7:30pm Historic District (Conference Room C) 7:30pm BdZoningAp (CC)	7:30am DDA (Conference Rm LL)			
					21
22	23	24	25	26	27
7:30pm City Council-Regular (Council Chambers)	7:30pm Troy Daze Advisory Bd (CommCtr) 7:30pm Historical Commission (Troy Museum) 7:30pm Planning/Study (CouncilBd Room)	7:00pm TYC (Conference Rm LL)			
					28
29	30	31			